



References Upon Request?

In this era of wrongful discharge litigation, getting references from other employers takes real skill.

By Robert Half

Today more than ever, it's difficult to get candid references from employers. That is why it is important for contractors to seek as much reliable information as possible before hiring someone. Sound techniques for checking references must be used to separate those with good employment records from others with less attractive backgrounds.

In this day and age, job candidates with impeccable records are often difficult to cull out from those whose records are clouded, or even outright fraudulent. Contractors that fail to check references adequately, not only put their firms at a disadvantage, but are also unintentionally being unfair to others who deserve consideration.

Many employers hesitate to be candid in giving references because such candor could result in a lawsuit by the ex-employee. On the other hand, "white lies" could precipitate legal action if the worker in question caused damage to the new employer, and it could be proved the former employer lied.

The result? Many employers simply refuse to give references at all. But even that approach can cause legal problems; some job candidates have sued former employers on the grounds that no references is tantamount to a bad reference.

Where does that leave you, as an employer? First, you must analyze your reasons for seeking references. Is your

objective merely to "take a shot" and hope you've hired smart? Or perhaps you just want to do a once-over-lightly reference check to "get it over with."

But the best approach is to spend the time and energy necessary to find out all the pertinent facts about any prospective employee. Reference checking is timeconsuming, often frustrating and, at best, fulfilling only when the job candidate—and the credentials he has presented to you—match up. On the other hand, when that happens, there's a much better chance the person hired will prove a productive and valuable member of your team.

As for the legality of checking references, it's wise to get the candidate's written approval first—not only to check the references provided, but to pursue additional references of your choosing to explore the prospect's business and educational background.

Also asking candidates to sign a release holding their former employers harmless for references they provide to you. This approach can help elicit more candid references.

The same discrimination laws apply to reference checking as apply to interviewing. You cannot probe into marital status, age, handicaps, religion, color, and national origin, for the purpose of using that information as criteria for hiring. Check your reference-checking procedures with your attorneys.

Confidentiality is also a *must*. Information discovered when you check

references must be kept confidential from other employees in your firm, unless they are actively involved in the hiring process.

Since candid references are hard to come by (and in some cases it's hard to differentiate between outright lies, half-truths and omissions of important facts), it's to your advantage to consider the credibility and experience of the candidates former employers and associates.

It's safer to hire people who are recommended to you, but even then you still owe yourself a thorough reference-checking job. Here are the safest methods of finding good employees:

- Promoting present employees is the best and safest method. You know the person, you've got a built-in reference, and it's also good for morale to advance your own personnel.
- Former employees are also safer to hire because you also know something about them. The only problem is what they did after they left your employ.
- Recommendations from friends and acquaintances can be a source of worthwhile prospects. But, you still have to check such candidates.
- Employment agencies usually select good candidates. But even though you are offered potential employees by specialized personnel recruiters, and have a certain amount of confidence in them, you still have to check references.

If your firm isn't large enough to have a personnel director, who then should be given the job of checking references? A candidate who reports directly to you should be checked out by you. You'll find one-on-one checking with the previous employer will elicit better results.

Otherwise, candidates' references should be checked by the person to whom they would report, or who would conduct their performance reviews.

There has to be a starting point. Who should you contact? Start with given references on the employment application form. Pay attention to the ones on the bottom of the list; they may very well be the most candid.

Next, try to get access to your candidates immediate supervisor. Ordinarily

ily, they should know the candidate's work best. Your counterpart in the candidate's former firm, who does your same work, will also be more likely to give objective evaluations.

Try also to get other names within the organization of the former employer. And don't neglect personal references: friends, relatives, teachers, and clergy, which are certainly helpful, though you can't place too much weight on these.

Reliance should not be put on letters of reference presented to you by candidates; they are usually worthless, as they were probably written at the time of termination. Firing is a sensitive task and there is the tendency to "be kind" to the departing employee.

Writing for references is usually not effective, as such letters most often go unanswered. A time lag may also cause you to lose out on good candidates.

Why not use the telephone? You get immediate answers, and get a chance to ask spontaneous questions based upon what was said in response to your primary questions. Listen to the tone of the voice. Do you deduct enthusiasm? Evasiveness?

Seldom used is the method of visiting for references. Perhaps this should be reserved for candidates being considered for a very high-level managerial position.

Whether checking in person or by telephone, planning is important because you must respect the time of the cooperative reference. If you ramble, take too much time, the person furnishing references may cut the conversation short before you have main questions answered.

Remember, when you ask for a reference, the person you talk to is doing you a favor. Always be polite. In

fact, never have your secretary place the call for you. Do it yourself.

To encourage references to be candid with you, it's wise to be friendly when you speak with them. "Break the ice" when calling for references. Briefly try to "feel out" the person giving you references. Have the same hobby? Same sport interest? Same area of residence? Same school?

It's a good idea to prepare to be candid. Say something like: "I want to be fair with candidate Brown. If we were to offer employment, be dissatisfied, and terminate the employment, it could possibly ruin a perfect employment record. That's why I'd appreciate your help. It sure would help the candidate if you were very candid."

What then do you actually ask?

- Could you verify the dates of employment?
- What type of work did he/she do? Job title?
- What were his/her earnings?
- Did that include bonus? Overtime?
- Was he/she honest?
- Who were prior employers according to your records?

Nine tough questions

To search for the truth you have to ask questions.

- How does he compare to the person who's doing the job now? Or, what characteristics will you look for to replace him?
- If he was that good, why didn't you try to rehire him? or, why don't you try to induce him to stay?
- When there was a particularly urgent assignment, what steps did she take to get it done on time?
- Since none of us are perfect at everything we do, please describe some of his/her shortcomings.
- Have you seen his current resume? Let me read you the part that describes his job with your organization. (Stop at each signifi-

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cant point, and ask the reference for a comment.)

- All employees don't like all other employees. What kind of people did she have problems with?
- On the average, how many times a month does he take off for personal reasons or sickness? And, how many times a month does he come in late, or leave early?
- Who referred her to your company? (Could it have been a relative or a recommendation of a customer or client?)
- When she was hired, were her references checked thoroughly? Who checked these references? And what did her references have to say?

Often when people want to avoid answering a question, they'll quickly side step by changing the conversation to something they're more comfortable talking about. For example, the question, "How well did she supervise her department?" could be finessed by saying, "She was always willing to pitch in. Nothing was too much for her." Or, "He worked for you for three years?" The reference's vague response: "During the time he was with us his work was excellent."

When it comes to giving references, some executives are masters at ambiguity. There's a famous story about a man who called a company to check the reference of a former employee. He asked the company president to tell him something about this person. The president's answer was, "He worked for us for 20 years and we were satisfied when he left." Well, if you're not satisfied that you fully understand what the reference means, don't hesitate to ask for clarification.

Sometimes bosses are so angry that a good employee quit, they'll go out of their way to give a bad reference. If, for any reason, you detect the boss might be vindictive, and the candidate appears to be suitable for the job, check as many more references as possible.

Make sure that you quiz the other references on the major points that were made by the negative reference. You hope you'll receive only opposite opinions; then again, you may get confirming ones.

It takes a lot more work on your part to counteract a bad reference, but when you do, you may find yourself with an excellent employee who had trouble getting a good job because someone out there was deliberately interfering with his chances.

Sometimes you might have to check the reference's references. If you do a good job in checking references, and get to talk with five or six people, you may very well get a bad reference from one of the executives. This person is perfectly willing to talk to you, but can't think of anything nice to say. You suspect that, for some reason, this reference is trying his best to get even with a disliked ex-employee.

This means you've got more work ahead of you. You should check the reference's reference by calling several of the people you already spoke with at the same firm, and asking them pointedly whether they know of a problem between the employee and the individual who has sounded off.

You could say something like, "Mr. Green, you might remember I called you the other day in connection with checking Ms. Mary Gray's references. I appreciate your time, but I have a small point which I hope you can help me clarify. I checked with Ann White, and she was not very complimentary about Mary. Can you tell me anything about that situation?"

One of two things will happen: you'll either find out that Ann White just doesn't like Mary Gray, and she's trying her best to harm her career. Or, Mr. Green will confess that there's a certain amount of truth in what Ann said about Mary. If the latter happens—and Mary appears to be your best candidate—you should recheck several more references in an effort to determine the truth.

Suppose your telephone messages go unanswered. The reference you are calling ignores you, hoping you will give up. Don't.

The very fact your call wasn't returned should alert you that something can be wrong. Try writing a letter and sending a copy to the applicant, for it is that person who will follow through and put pressure to get your queries answered. After all, no references, no job (in most cases).

There has to be an evaluation of references. Just because an applicant has longevity, received promotions and raises, doesn't necessarily mean work performance was the best. In some companies there is a certain amount of laxity, or perhaps underperformers are pushed ahead by people who want to get them out of their departments.

If the first and "most important" reference extols the virtues of the employee, don't be satisfied and decide not to explore any further. The reference contacted may have felt sorry for a well-liked but inept former employee, and might do anything to help that person land a good job. It pays to be prudent and exercise some caution. Don't be overanxious to hire. You have to still check references, but you must not answer your own questions. Don't ask questions which can only elicit a yes answer, or put words in the mouth of a reference.

No one is perfect. If you can't find anything wrong with a candidate, chances are you haven't done a thorough job of reference checking. Look for a flaw, then congratulate yourself on being thorough. But don't necessarily rule out that prospect; analyze the importance of the negative item, and it may not affect working for you at all.

Those who furnish references sometimes are guilty of exaggeration by omission. For example, a comment: "His work was excellent." That is fine, of course, but the reference may not have mentioned that the candidate was unable to complete complicated tasks. "She's an accounting genius." She may also have been a failure at management. And, "He's a decision maker." But, were his decisions good ones?

If you are only hearing glowing general accounts about a candidate, ask the reference for specific examples to support those accolades.

Read between the lines when comments are made. For example: "If we had an opening right now, we'd hire her back." The reality may have been that they were happy to see her go. "He was a very reliable employee." The truth is they never really knew when he would or would not show up. "She quit working for us for a job with a greater challenge." In actuality, she couldn't



cope with the work. "Our management was completely to blame." The truth may have been the only mistake was to hire the person.

Don't hold back. Ask politely for an explanation of any broad generalizations. Keep in mind when a person pauses too long, he could be skirting the truth. The real truth can be recited quickly.

Listen for inflection: If in saying, "he was a good worker," the word "good" is said in a lackadaisical way, it may mean, "not so good." But, said enthusiastically, "He was a good worker," may be an indication that the reference means what he says.

Find out the "real" reason for the candidate leaving a previous position. This is difficult, because the word "fired" is rarely used, and is often couched in different words like: "We agreed to disagree."


It is estimated that some 80 percent of all working people have been fired

at one time or another. It could have been from a first job delivering newspapers. It could have been as a result of a company going out of business, or being merged with another firm and making a person's job redundant. Therefore, contractors who would not hire any person who has previously been fired, are bypassing some 80 percent of the job market. But in any event, to do thorough reference checking, you should know if they were fired, and why.

When you ask a reference for reasons of termination or of voluntarily leaving a position, you may get the answer that more salary was the issue. Then why didn't the firm think it worth more money to keep the person? Or, you could be told the person was so effective, the job itself became unnecessary. But if the employee was competent, why couldn't a transfer be effected?

Some managers view reference

checking as an almost futile task. Many have abandoned the idea of doing little more than a cursory verification of a few facts. Some do absolutely nothing, relying solely on their gut feelings. Many assign the task to anyone on the management level with some spare time. Or, firms rely strictly on employment agencies to do the screening.

But if you follow the recommendations outlined above, and do the job yourself, or assign it to a responsible member of your management team, you'll save considerable time and frustration, and end up with fewer disappointments. 

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