Terminating for Performance – A Story

The Story:
A hospital fires an African-American doctor, who turns around and sues for race discrimination. The doctor does not have any concrete evidence of discrimination, but rather has a general sense her white counterparts were treated more favorably. The hospital claims it fired the doctor because of her poor diagnostic skills and her inability to get along with her co-workers. Her attorney requests her performance evaluations; they give the doctor good marks for diagnostic skills and are silent on problems with co-workers.

Now, even though there is no real evidence of race discrimination, it appears as though the hospital is lying about the reasons it fired her. The doctor’s case gets before a jury, where her attorney argues that the hospital must have engaged in illegal discrimination. Why else would it lie about the reasons for firing the doctor?

And it must have been lying – just look at the evaluations. They do not support, and even contradict, the stated reason for termination.

No employer or supervisor wants to be in the position of rebutting a discrimination claim by arguing that the performance evaluations were inaccurate. What is the best way to avoid such a scenario? Make sure YOU understand that feedback needs to be accurate.