

# **Lessons Learned**

**Over My 45 Years of Working**

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## Lessons Learned

About two years ago I read Donald Rumsfeld's book entitled, *Rumsfeld's Rules* in which he outlined a list of "Rules" he had developed while he was in Congress and working for three Presidents. I thought, "Where is my list, why haven't I ever developed my list?" So I started.

I am now 60 years old and have been working for over 45 years. In my early teens I was cutting grass in my neighborhood, and at 16 landed my first real fulltime job (in the summers) as a park maintenance person.

I paid for my own college education by taking student loans and using the money I earned from several jobs both during the school year and the summers. My total student loan debt of \$6,900 (a paltry sum compared to today's loan debts) has been repaid. To save costs, I graduated in three years from the University of Michigan with a B.S. in applied mathematics and with minors in physics and astronomy. I started George Washington Law School a month or so before I actually received my Michigan diploma and graduated with a J.D. at the age of 23. After Law School I was fortunate enough to have my employer, Pacific Northwest Bell, sponsor me for the Executive Business School program at the University of Washington and received my M.B.A. in 1988.

I have now worked as a general counsel at four major companies, U S WEST Inc., Storage Technologies Inc., Fisher Scientific International Inc., and Massachusetts Mutual Life Insurance Company (MassMutual). Each company was in a different industry, and I worked closely with six different CEOs. In addition, I have been responsible for areas as diverse as Public Policy, Government Relations, Public Relations, Human Resources, Compliance, Internal Audit, Facilities, Real Estate, Business Resources, and Corporate Marketing.

As my career progressed, I have been privileged to lead teams that have obtained significant positive results that have moved these corporations forward, benefiting stockholders or policyholders. In addition, ten attorneys who have worked for me moved on to become general counsels. Hopefully, I have also mentored or assisted others to become general counsels or to otherwise lead and be successful in their careers. Nonetheless, without the help and support of others and my teams, I would not be where I am today.

After reading Don's book, over the last two years, I have created my own *Lessons Learned* (the list will continue to grow and evolve as I remember things and learn more). The only lesson I borrowed from Don is his de Gaulle quote.

I often find that as I am mentoring someone or working with one of my team members I tell them a story with the lesson I learned from it. So I have tried to capture those thoughts. And as Will Rogers once said, "good judgment comes from experience,

and a lot of that comes from bad judgment.” Therefore, many of the lessons I have learned are from decisions or mistakes I have made, so there is often a story behind them. In addition, I have been privileged to interact closely with many diverse and successful leaders and corporate executives who have either been my boss, my peer or on the boards of directors where I have worked. In fact, Dick Cheney was on our board at U S WEST. Many of these leaders have shared learnings with me or otherwise provided me with their words of wisdom.

Unlike Don, who combined the wisdom he acquired from others and the learnings from his experiences into his Rules book, I have simply outlined the lessons I have learned. By the way, the final lesson I would recommend is to start to develop your own list.

### **Leadership**

- “Leadership is about making others better as a result of your presence and making sure that impact lasts in your absence.” Harvard Business School.
- In a corporate setting, leadership involves the assembling, developing, focusing and inspiring others to effectively achieve objectives to advance the overall values, vision/mission and strategy of the business.
- For Napoleon leadership may have been innate, but for most of us, it can be taught and learned.
- I hate the word manager. Managers manage and leaders lead.
- The most important attributes necessary to learn and develop leadership skills are to have self-realization and be willing to encourage, accept and react to feedback – even if you don’t agree with it – what you think doesn’t matter, how you are perceived does.
- It is very valuable to communicate to your team your Personal Leadership Philosophy, including: what you believe, what you expect, what you will do, what you will not tolerate and what makes you happy. Share with your team and have them hold you accountable.
- Leadership is not a position. It is a role. We all need to be able to play the roles of leader, follower (team player), individual contributor – and for some supervisor/manager. You do not need to be a manager to be a leader.

- Set clear objectives. If you ask your employees to do good work, you will probably grade them a "B." at best, since your definition of good work and theirs will be different. If you give your employees ten specific objectives, you will get all those plus two more.
- If you don't measure it, you don't get it.
- Never skimp on technology or education. If you are asking your team to do exceptional things, you have to give them the tools to do it.
- The most important things I do are: chose the people for the team, help the team set our objectives to advance the overall strategy, help our team meet their objectives and reward and recognize the folks who help us reach them (and have the fortitude to make changes for the folks who do not).
- Hiring, reward and promotion announcements should be very clear in conveying to the team why you made the decision you did. With concrete examples of the attributes/accomplishments the person has to deserve the hiring, promotion or award.
- It is critical to give your employees regular and honest feedback and performance reviews. You owe it to them to be clear what your views are, so that even if they don't agree with you, they can make reasoned decisions about their future lives and careers. It is so unfair for someone to find out for the first time, late in their career where they stand – often after a reduction in force.
- Keeping a non-performer around is more destructive to the team than any incremental value to them in not making the tough decision.
- We spend a ton of time trying to making non-performers average. We should spend more of our time making stars superstars.
- When people are complaining about their compensation – they are usually sending you a different message – “you can't pay me enough for this job.” Figure out the underlying issues behind that, and fix them.
- Don't underestimate the power of emotion. Be aware of it, recognize it and value it in others. And use your emotion carefully.
- The employees that work for you are not your “friends.” So don't treat them like friends. And don't confuse friendship with leadership.
- “It is amazing what you can accomplish if you do not care who gets the credit.”  
Harry S. Truman

- Great results belong to the team. And as the leader, bad results are your responsibility.
- A board member once said, “our primary responsibility is to support and assist management, until such time that we lose confidence in management, and then it is our job is to change them.” Frank Popoff. Likewise our job is to support our direct reports, until such time as we lose confidence in them and then change them (hopefully with the opportunity/timing to give constructive feedback well before that).
- We all make hiring mistakes. It’s important to reverse out of them, before they do more damage to the team – or you.
- Whenever you have a reason to terminate someone, take it. The failure to do this can be one of your biggest mistakes.
- “Some times you need visible hangings.” Alan Gilmour.
- When you promote someone to a higher level of leadership or responsibility, don’t necessarily change their title or increase compensation. If it doesn’t work out it is hard to reverse and the only option may be termination. Then the organization may feel it is risky to stretch since if you fail you are terminated.
- Even if you don’t have an open position, always be willing to meet with someone who is looking for a job. It is amazing how many times during your meeting you come up with good ideas that help them on their job search. We called it, “the Code of the West.”
- When the 21<sup>st</sup> century is over, I won’t be here to see it, but it will be viewed as “the century of the woman.” We can debate whether it is nature or nurture, but stereotypically women have leadership attributes of empathy, flexibility, creativity, and collaboration that will be necessary to be successful in this century of abundance of resources.
- “The one who follows the crowd will usually get no further than the crowd. The one who walks alone, is likely to find himself in places no one has ever been.” Albert Einstein
- “Two roads diverged in a wood, and I, I took the one less traveled by, And that has made all the difference.” Robert Frost

- When you meet people at a dinner, diversity event, leadership meeting, etc., who you want to stay connected with, write them a note before you go to bed that night. Personalize it with something you discussed. You want to be the first to reach out, show they mattered and create the relationship.
- When you assume responsibility for a new organization, make your people decisions fast – who will be the leaders and who will be on – and off – the team. After three months, you know the names of their spouses, kids and dogs. And the decisions just get so much harder to make and execute.
- When you are going to have a direct, tough performance conversation with an employee, it can be valuable to create a one page document with the key points you want to convey as “bullets.” As you hand it to the employee, state that the reason you are communicating both verbally and in writing is so there is absolute clarity. The advantage of this approach is: it documents the conversation; provides for absolute clarity; and probably most important – during the conversation you can’t back down from what you want to communicate.
- “Gifts” with your team, in corporate America, only go one way. You can give to them – holiday, birthday, etc. But you want to be clear they never give to you. Otherwise you create a real mess.
- “Loyalty up – and loyalty down.” Charlie Russ

## Culture

- An entity’s culture becomes the collective values of the leadership.
- An entity’s culture can change faster than you think. It is not about slogans or posters. But a clear articulation by the leadership of what they expect and then acting consistently with what they say - in the most important decisions - hiring, promotions, rewards, and terminations.
- You can tell employees what you expect and can put up all the posters you want, but employees watch their leaders like hawks. It is what we do that matters the most.
- Change is good.
- Some people come to work every day just to play the game. We need a team that comes to work every day to win. And there is a difference between playing not to lose and playing to win.
- Ethics and integrity are an enterprise’s first line of defense.

## People, Talent and Teams

- It's all about talent and teams.
- Who you hire and who is on your team are the most important decisions you make.
- “If you are the smartest person in the room, you have a weak team.”
- I look to hire individuals who have achieved significant positive results. They achieved them because they have good judgment, understand business, are intelligent, creative/innovative, proactive (see around corners), team players (value diverse and inclusive teams), client/customer focused and hard working.
- Surround yourself with a strong team and good people and they will tell you what to do to make you, and them, successful.
- I want to work with people who prefer riding a roller-coaster to the Queen Mary. Rollercoaster have ups and downs and are exciting – the Queen Mary is slow and steady and rarely changes course.
- “No jackass ever won the Kentucky Derby.”
- It is hard to interview for intelligence. However, if you went to Harvard or Yale, you may have zero judgment or common sense, but you are probably smart.
- My job is to train people to leave.
- One of the things I missed most about not leading a team was the bad days – the days when we had a bad result and got the team together to solve for the issues. The bad days, and work as a team to recover from them, make the good days that much better.
- Learning together is one of the best teambuilding events.
- “Team” is like family. We may argue and disagree, and even criticize one another within our family. But when a decision is made we support it externally, even if not our view. And no-one can criticize our family!
- Many people have a better opinion of their performance than their supervisor does. And that is a very good thing. Don't let it bother you. It would be a sad world if half of us truly felt we were below average.

- Be careful thinking your new external hire is great or quickly expand their responsibilities. You both want to unconsciously confirm your hiring decision and the time and effort you put into it and you initially see their faults as just an anomaly – but over time you become aware they are real.
- “Bad people do bad things.” Dennis Block
- A termination meeting is not a conversation. It is a one-way communication. All performance discussions were in the past and do not occur now. No comments on, “I know how you must feel” – you don’t. And make clear the decision is final and non-appealable (be certain of that). Should take about five minutes and then turn over to someone else to cover the separation process.
- It is usually best to have good succession planning and promoting from within. Even with the best resume, references, and interviews, you can’t be certain what you are getting with an external candidate and if they will fit into your culture. It also sends the right message to the team that they are strong and you develop and have internal talent.
- An external hire usually causes no internal promotions. A high level internal promotion may cause four more.
- Be careful with the provision of alcohol – for you and other team members. I have had to terminate several strong employees for doing inappropriate things while under the influence.

### **Creativity and Innovation**

- When smart people ask "dumb" questions, listen.
- Innovation is generally incremental. But it can’t take too long or we will be left behind.
- Creativity is a collaborative process.
- Innovation often occurs with the collaboration of different specialties and visionaries.
- Innovation often occurs with the combination of science/technology and the humanities/liberal arts.



## Decision Making

- In the corporate setting, “good judgment” is making effective, productive decisions or actions in multidimensional settings which are aligned with business objectives.
- Always act with "routine urgency."
- If you wait to solve for every criticism, you will never make a decision.
- A delay or a non-decision is often a decision in itself. And usually not the right one.
- “Don’t let the shadow of the past, poison your future.” Roger Crandall
- For most decisions we have all the facts, it is the weight that we put on the different facts that creates good judgment.
- “Some times you have so many ‘irons in the fire,’ all you have is hot irons.” Alan Gilmour
- You want to be the first person that someone thinks about when they wake up in the morning, but you want to be the second person to the dance.” Mark Bertolini
- Done is better than perfect.
- Just because it is legal, doesn’t mean it is the right thing to do.
- I would rather have ten ideas of which only one is good, than no ideas.
- “No turkeys ever voted for Thanksgiving.” No regulator ever voted to deregulate.
- “If we have data, let’s look at data. If all we have are opinions, let’s go with mine.” Jim Barksdale

## Diversity

- I have always worked to promote diversity and inclusion. And my teams have achieved great results. I’m not changing.
- Diverse teams are more productive and get better results.
- Diversity is the noun, inclusion is the verb – you need both.

- Creating an environment that values diversity and inclusion allows you to attract better talent and the team is more engaged which results in a competitive advantage.
- Diverse teams are more innovative and creative.
- We all fail on occasion. But individual members of diverse teams fail diversely - thus minimizing risks and mistakes.
- One of the advantages of providing a diverse person an opportunity and help them be successful, is they will often be much more loyal than the non-diverse person with the same opportunity and help.
- When the lights go off, what is diversity? It is the differences of education, environment, experience and perspectives different individuals bring – which generally are heavily correlated with traditional diversity, but not always.
- Performance is the intersection of ability and opportunity. If you value and reward performance, you need to ensure equality of opportunity.
- “The four B’s for diversity are: the Boss, the Business Case, the Brand and Blocking and tackling (or nuts and Bolts).” Ivan Fong
- “Diversity and adversity are both universities. Diversity is a built in educator.” Jack Easterby
- “Diversity is a creator of roles. It allows different people to play different leadership roles.” Jack Easterby
- “Somehow we must come to see that in this pluralistic, interrelated society we are all tied together in a single garment of destiny, caught in an inescapable network of mutuality.” Dr. Martin Luther King

### **Personal Attributes**

- What makes me happy is adding significant positive value to those who have put their love or trust in me.
- Once ones basic needs are satisfied, what is most important is to love and be loved.
- Your time is a limited and invaluable resource that you cannot buy, reverse, accelerate, or stop. How and with whom you spend this resource reflects who and what you value. Use it wisely.

- The greatest gift my Father ever gave me was curiosity.
- The best path to personal success is to be a giver, not a taker.
- Network, network, network.
- My resume really doesn't reflect what I have accomplished, but summarizes the results of the teams I have had the privilege to work with and lead.
- One of the most important things I do is make my boss look good and be extremely successful.
- Illegal or unethical actions are unacceptable.
- You do not get three strikes on harassment or not valuing your fellow employees - you have your first two already.
- "I love the one who craves the impossible." From Goethe's Faust
- It is ok to be demanding and give constructive critical feedback. But this will only be beneficial if you also give positive praise and feedback for a job well done.
- There are too few occasions to celebrate. Don't miss them.
- One of life's little ironies is that the person giving the favor is usually happier than the person receiving it. Don't deprive people of an opportunity to be happy - never hesitate to ask for a favor.
- Not all my ideas are good.
- If you don't keep going forward, you will get caught from behind.
- I get some of my best ideas from the people I mentor. I finish every one of my mentor meetings with two questions: what input, suggestions and recommendations do you have for me; and what would you do differently if you were in my position.
- "You only begin to live when your father dies." Phil Burgess
- "At the end of the day, nobody gets out alive,"
- "You should only retire **to** something." Lloyd Cutler

- "I wonder if [as] you get older if you notice the leaves more." G.H.W. Bush
- "If everything seems under control, you're not going fast enough." Mario Andretti
- "Can't that be done faster?" Walter Model
- "The cemeteries of the world are filled with indispensable men." Charles de Gaulle
- We all know it is hard to find excellent employees. And all your friends and vendors will tell you that you will have no problem finding another opportunity – if you have to. Don't listen to them. It is difficult to find good jobs in corporate America.
- It is much easier to find another job, when you have one. The hiring entity feels they are "stealing" someone. And they aren't a free to dig around your current employer for references (if we have done our jobs right, not everybody we work with should love us).

### Communication

- Bring this issue down to "ducks and bunnies."
- Present in a way that is "Board Simple."
- At Ford we called this FUFA [Fucked Up Former Administration]." Alan Gilmour

### Careers

- "Careers are a jungle gym, not a ladder." Sheryl Sandberg.
- One of the most important things you can do to be successful in any position is to have clear understanding and alignment of expectations with your boss.
- "You should report yourself at least every five years." Richard Cooley
- You can really leave any job in two weeks. Don't do long transitions. You will lose focus. And like a dead fish, you will start to smell over time.
- When a leader is leaving their position – get them out - fast. Long transitions are not good. The new leader has a challenge making the changes that need to be made, especially on the people the prior leader may have chosen.

- When you leave a job, stay on good terms and only say positive things about the company and people. Your opportunity to change it was when you were there. Don't be a coward and try to do it later – and you never know who might be important in your future career.
- When you leave a job, do not be critical of the people and other changes your successor makes. You were not wrong. Nor are they. Times have changed. And you both made the correct decisions – hopefully.
- Try to take time between jobs. You rarely have opportunities where you will have no work to think about. Take two weeks at the very least.

### **Strategy and Plans**

- “Everyone has a plan till they get punched in the mouth.” Mike Tyson
- “The essence of strategy is choosing what *not* to do.” Michael Porter
- There is huge value in creating a Strategic Long Range Plan that takes all the objectives of the enterprise and the team works to develop and align strategies and tactics to proactively advance these objectives. These should be developed in conjunction with the clients. It sends a clear message that the team exists to advance the enterprise's objectives.
- Always have a plan. Even if your plan is to develop a plan.

### **Other's Assets**

- When people lose money they have no sense of humor.
- Always treat the company's assets more dearly than your own.
- We do not stay in Four Seasons or Ritz Carltons.
- “When the average man loses his money he is simply like a wounded snake and strikes right and left at anything, innocent or the reverse that presents itself as conspicuous in his mind.” Theodore Roosevelt

### **An Administrative or Legal Team**

- When parts of the company create “appendages” – administrative functions that really should be performed by the centralized staff function; they are sending a message - the staff organization is not meeting their business needs, so they have to do it on their own.

- I hate lawyers who talk in the third person. It is not about what "you" can do, but what "we" can do.
- I am flexible on working locations and times. But my expectations are clients and other lawyers do not have to wait to react based on a lawyer's absences/vacation. We need to be connected 24X7.
- Lawyers should not call balls and strikes, but help the business win the game.
- 99+ percent of all litigation is settled. So pick your best 10% and work on them – 9 out of 10 of them will be settled. But for the other 90% get rid of them as fast as possible at the lowest possible cost.
- If you have that many "bet the company" cases, your company is in real trouble.
- If you are aware of them, never should issues of legal significance appear in the WSJ or the press without you advising the appropriate senior management and the Board, as appropriate. It gives you the chance to put your analysis and "spin" on the matters as compared to them reaching their own opinions.
- You don't have to be a great lawyer to be a great in-house lawyer.
- MBAs are very beneficial to any in-house attorney. The better general counsels of the future will all have MBAs.
- The reason I demand budgets is not to squeeze the law firms, but it is one of the best ways to align expectations on desired outcomes and costs.