

Giving Personal References

Excerpted from *The Architect's Handbook of Professional Practice*, 13th edition

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SUMMARY

A firm's policy regarding personal references should be clear and consistent. Knowing what to say and how to say it can help firms avoid legal issues that can sometimes arise.

LEGAL ISSUES

Providing personal references is often a no-win situation: If you give a glowing reference, it may be interpreted as hiding something. If a former employee had problems, you may not want to talk about them. It is also possible that you were at least part of the problem. A small but growing body of court cases has established an employer's potential liability for giving a less-than-favorable reference. To date, lawsuits have been filed on the basis of libel, slander, and discrimination. Negligence suits may also result from not giving honest references to potential employers.

WHAT TO SAY

Many architects think they must respond to requests for references. How much you say is a business decision. You need to decide how much of a risk you are prepared to take. If you have done your human resources homework and have been fair, consistent, and open throughout, a problem employee should know why he or she was terminated, and divulging this information might not create undue risk. Certainly you should not communicate any information not shared with the employee.

You may also choose an explanation like this: "John worked well when he had constant direction, and I just can't work that way." This conveys valuable information without blaming the employee.

There are other approaches to giving personal references:

- Some firms follow a policy of providing a written recommendation at the employee's request, perhaps at the time of departure.
- Some firms have an informal policy of giving willing and complete references for persons they can wholeheartedly recommend but giving

only confirmation of employment dates and position for others. Such a policy, however, makes a firm vulnerable to claims from former employees of disparate treatment.

- Some firms establish a consistent policy of not giving references at all.

In the end, remember that your recommendations reflect on you and your honesty. Consider them carefully.

RESOURCES

More Best Practices

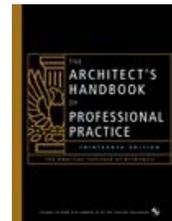
The following AIA Best Practices provide additional information related to this topic:

- 07.07.01 It's Pruning Time: The Benefits of Downsizing
- 07.07.02 A Sample Exit Interview
- 07.02.01 Sample Interview Questions

For More Information on This Topic

See also "Recruiting and Hiring," by Laurie Dreyer-Hadley and Kathleen C. Maurel, Assoc. AIA, *The Architect's Handbook of Professional Practice*, 13th edition, Chapter 9, page 229.

See also the 14th edition of the *Handbook*, which can be ordered from the AIA Bookstore by calling 800-242-3837 (option 4) or by email at bookstore@aia.org.



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Keywords

- Practice
- Personnel management