

# The resilient lawyer

## An approach to enhancing employee wellbeing

**NEW  
WELLBEING  
COLUMN**



The current economic crisis will be a prime cause of workplace change in the immediate future. To survive, employers will need to foster a culture of resilience in their employees. In the first instalment of a new, regular column, **Murray Davis** explains how this can be achieved.



**C**hances are, in the next 12 months your organisation and the people in it will experience considerable change. The fast pace of globalisation, technological, social and political change is unavoidable.

To survive and assist employees to endure and adapt to the constant changes, organisations must develop resilience in their employees.

### What is resilience?

Resilience is being able to recover quickly when stretched beyond your limit. Resilient employees report reduced intellectual and emotional turbulence, allowing them to more easily focus attention on their priorities.

They are better able to shift and broaden perspectives, tolerate ambiguity and draw on their intuition to make better decisions. In short, resilient employees navigate change more easily, with less drain on their performance, productivity and wellbeing.

Resilient lawyers:

- Are open to learning from experience
- Communicate well
- Develop effective personal and people skills
- Make decisions that are grounded in emotional as well as intellectual intelligence
- Support, develop and actively engage people
- Motivate and inspire others.

### Improving resilience in the legal profession – the leadership role

Increasingly Australian legal firms are putting the spotlight on improving staff wellness and minimising and managing stress in the workplace. This is not surprising, given the consistent findings in research around poor mental health in the legal profession.

In 1991, Johns Hopkins University in Baltimore interviewed 12,000 workers about depression. Lawyers ranked number one on the list of occupations that were most depressed. In fact, lawyers were found to suffer depression at a rate of 3.6 times higher than employed persons generally.

Leaders play an important role in encouraging wellness and managing stress. Leadership style and interpersonal skills are factors exerting a significant mediating influence over how team members develop positive work balance practices and how they experience and recover from stress. This is reflected in research and experience, showing:

**1.** Wellness initiatives (such the employee assistance program LawCare) can differentiate an organisation as an “employer of choice” in a labour market shortage. They also keep people well and provide an avenue for early intervention.

**2.** Staff who feel supported by their leaders perceive stress differently and are more likely to “stay” and “strive”. A perception of support and connection with a leader is known to be a factor in reducing work stress.

**3.** Leaders are in the perfect position to monitor staff wellbeing and encourage positive actions through their proximity and connection to staff.

**4.** Talking early and talking often with your staff leads to better outcomes. Research into costly stress claims indicates many conflict and stress claims could have been more effectively managed by earlier conversation.

**5.** A good relationship with colleagues and leaders is very often a higher priority for employees than money when it comes to “staying”.

### How to develop employee resilience

Leaders have the ability to encourage employees to engage in self-exploration activities to develop resilience. Research has demonstrated that employees who are aware of their signature strengths and attributional style are more resilient. Thus, leaders should make employees aware of activities that assist employees to ascertain their signature strengths and attributional style.

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### Signature strength

A signature strength is something that is unique to that person; it is a core competency that got them to where they are today and is what they rely on to get them out of trouble.

Exercising signature strengths is like watering the roots of optimism. By encouraging your employees to do this, they will start to feel better about themselves and find greater fulfilment in what they are doing. Knowing their signature strength will also help them exploit opportunities and navigate through uncertainty.

Experience demonstrates that staff are at their most engaged when they are aware of their own signature strengths and are able to utilise these on a daily basis. This can be made more powerful when team members are able to share these with each other and explore ways of capitalising on the interplay of various team strengths.

Anyone can take a simple, free of charge, online signature strengths assessment by visiting [www.authentichappiness.sas.upenn.edu](http://www.authentichappiness.sas.upenn.edu).

### Attributional style

Attributional style is also a good indicator of resilience and effectiveness. It refers to how people explain (attribute) the events of their

lives. Do they lean towards optimism or pessimism? A fascinating research outcome from the arena of positive psychology has been that whilst pessimism can be detrimental to most professions (and can have a negative impact on academic and sporting performance), “pessimists do better at law”.

As Martin Seligman (the pioneer of positive psychology) points out: “Pessimism is seen as a plus amongst lawyers, because seeing troubles as pervasive and permanent is a component of what the law profession deems prudence.”

The difficulty many lawyers report, however, is being able to switch this off outside of the workplace.

Research has proven that optimism can protect people from mental and physical illness and that people who are optimistic or happy have fewer physical health problems, and have better relationships with peers, family and customers. Further, optimism can be learned and leaders should encourage employees to participate in activities and programs that develop optimism.

### Making resilience a reality

Successful and resilient employees balance prudence with positivity, believing good things

can happen within the constraints posed by the reality, and that they can play a role in making them happen. They are persistent in tough times, recovering quickly from setbacks and taking decisive action when adversity strikes and the stakes are high. Leaders must engage in programs that assist employees to develop resilience to assist with employee wellbeing. Additionally, leaders must consistently demonstrate behaviours that build resilience in others. ■

*The QLS has engaged Assure Programs to provide the LawCare service. It offers a range of programs that focus on improving employee resilience and wellbeing.*

*Contact Assure Programs to ascertain how organisations can develop resilient, well-balanced employees.*

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*The next Wellbeing article will focus on what individuals can do to improve their resilience.*

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