

ICMA

THE MEMBER'S GUIDE TO A CAREER THAT HAS UPS, DOWNS, AND DETOURS

An ICMA Member in Transition Guide



**DETOUR
AHEAD**

ABOUT ICMA

ICMA, the International City/County Management Association, advances professional local government through leadership, management, innovation, and ethics. ICMA provides member support; publications; data and information; peer and results-oriented assistance; and training and professional development to more than 12,000 city, town, and county experts and other individuals and organizations throughout the world. The management decisions made by ICMA's members affect millions of individuals living in thousands of communities, from small villages and towns to large metropolitan areas.

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Preface

Recognizing that professional city and county managers can face termination at almost any time, ICMA is committed to supporting members who find themselves separated from their jobs or who see termination on the horizon. ICMA provides an array of personal support, benefits, and resources for our members in transition (MITs). One such resource is this career guide.

In the fall of 2020, ICMA President Jim Malloy appointed a Task Force on Members in Transition to assess the organization's offerings for MITs and recommend ways to strengthen them. One of their activities was to review ICMA's existing publication for MITs—*Notes for Beachcombers: A Survivor's Manual for Local Government Managers and Spouses*.

The Task Force concluded that the *Beachcombers* publication was due for revision, and its members had a productive year researching and preparing this new guide to replace it. In addition, the Task Force developed a series of recommendations for consideration by ICMA and state associations.

Task Force members also developed and presented a well-received session, *It Can Happen to You and it HAS Happened to Your Colleague*, at the 2021 ICMA Regional Conferences.

We greatly appreciate the participation and contributions of the individual Task Force members and hope this guide will serve as a “compass” for ICMA members who need one at a difficult period in their lives.

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SECTION I

Introduction

In nearly 85 percent of U.S. cities with populations greater than 2,500 and in 372 counties, professional local government managers oversee the day-to-day operations of the local government organization.

City and county managers take home a good income and enjoy an array of benefits while making a significant difference in the community.

These jobs come at some risk, however. The position is often subject to shifting political winds when elections change the composition of the governing body and some of the new members believe the community needs a new manager. When you take one of these jobs, it's with the understanding that transition can and possibly will happen.

Statistics demonstrate this volatility. According to ICMA's 2018 CAO Salary and Compensation Survey, the average tenure of a professional local government manager was 6.1 years (the maximum was 37 years), and more than 200 ICMA members are in transition at any given time. These numbers are sobering and reinforce the importance of preparation—taking action in advance to minimize the risk of involuntary separation from your job. Being proactive will help ensure your health, well-being, and tenure.

ICMA has prepared this guide not only for members who have been fired but also for those who want to be alert to the warning signs of potential termination, take preventive measures, prepare themselves and their families to withstand the trauma of termination, and navigate a smooth departure from the old job and

a successful search for the next one. This guide also provides tips for members who want to support their peers who are “MITs”—members in transition.

Being in transition doesn't necessarily mean you've been fired. It can also mean that you've been asked to resign or otherwise negotiate a resignation under threat of termination. If you've watched your relationship with the governing body deteriorate over time you may decide to leave your position on your own terms rather than “tough it out” and try to salvage a relationship that appears to be going downhill. Sometimes a negotiated departure is in the best interests of both parties. Whether the termination is negotiated or involuntary, the MIT faces many of the same challenges and many of the same decisions affecting family members—partner's career, children's schools, and possible uprooting from a familiar community and starting over in a new one.

Throughout this guide you'll learn about the ways ICMA supports MITs (see the sidebar on page 21 for a summary). One particularly valuable resource is the [ICMA Senior Advisor program](#) offered in partnership with state associations. Senior Advisors are experienced former managers who volunteer their time to support members who need confidential advice and perspective on professional and personal dilemmas. Don't hesitate to reach out to them.



SECTION II

Preparation and Prevention

“I never saw it coming...” This is a common reaction from managers who have just learned that they have been terminated. Termination, or firing, can happen to anyone at any time for just about any reason.

It is easy to believe: “Termination can’t happen to me; I get along great with the governing body. And besides, I’m doing a good job according to my last review.” If that’s how you feel, termination may be a total surprise with no apparent warning signs or other indication that any underlying problem(s) could predict a firing. On the other hand, involuntary termination may be predictable if you’ve experienced a slow and incremental deterioration of the manager-council relationship over time. Either way, “fairness” usually has little or nothing to do with the governing body’s decision that they no longer need your services.

As a manager, you should proactively plan for such an eventuality while hoping it never happens to you. But if it does, you need to be prepared, and preparation involves more than keeping your resume up to date. In a perfect world, preparation begins even before you take a position. It means going into a new job with your eyes wide open and ensuring that you have a strong employment agreement with sound severance provisions. If it’s too late for that, you can still take many steps, beginning with a continuous habit of building resilience, developing strong personal relationships, and fostering communication in professional relationships.

Being prepared can make surviving, and even thriving, during the eventual transition much less stressful and increase the chances of success as you move forward.

Accept Any Job with Eyes Wide Open

Whether you’re currently employed or in transition, you can take some steps to guard against termination in your next position. First and foremost, when you’re

looking to move to another position, do your best to find out what you’re getting into.

Throughout your career, you will likely interview with multiple cities and possibly get an offer from the “city of your dreams.” However, it’s extremely important to do your homework and to research the dream community before you accept a job offer. The dream job may turn out to be a nightmare assignment.

Some cities and counties have a history of a revolving door for appointed managers, while others are known to be steady ships during turbulent storms. If you’ve done your homework and discovered that a community doesn’t have a great reputation as a “steady ship,” ask yourself why that’s the case. By simply researching election cycles and discovering the issues that have created local controversy and turmoil, you can gain an understanding of what lies ahead of you when (or if) you accept the job.

Another key consideration in deciding whether to accept a new job is the governing body’s vote to hire you. Some managers are bold enough to accept a job offer on a 3-2 or 4-3 vote (depending on the number of governing body members), but this is a huge risk and could lead to a quick exit if just one mistake occurs during your new administration.

[ICMA Senior Advisor](#) can be a great resource to help you check out positions in other states that may not be familiar to you. As part of doing your due diligence before applying and during the recruitment process, reach out to a Senior Advisor near the community you’re considering. He or she will often have insight into the current political climate, key issues, and what strengths a community may be seeking in its next manager.

Finally, you need to know that your spouse/partner is completely on board with your decision to accept a job offer. Our positions as local government managers can become very volatile, and not having full support at home makes it extremely difficult to stay focused.

Negotiate a Strong Employment Agreement

Another way to prepare for the possibility of termination when you move to a new job is to be sure you have a strong employment agreement. Local government managers are in a unique position as employees. They often work for a group that has a limited understanding of what managers do and the laws, ordinances, ethical tenets, and other constraints that guide and sometimes limit how managers do their jobs. This can lead to unrealistic expectations and occasional conflict. An employment agreement can provide both parties with a fuller understanding of their mutual expectations in regard to the manager's duties.

The agreement is a legally binding contract between two parties, the local government employer ("Employer") and the manager ("Employee"). It is designed to give both parties security and protection during employment and at the time of separation. All employment agreements should be in writing and approved by the governing body. Oral agreements are usually invalid and are difficult to prove in cases of doubt or disagreement. Written agreements provide clarity and evidence for both parties.

ICMA has a [Model Employment Agreement](#) that members can use as a starting point. Agreements typically include provisions that are central to a healthy manager-council relationship (more detail appears in Appendix A):

- Duties and authority
- Term of appointment
- Your commitment to the ICMA Code of Ethics
- Compensation
- Vacation, sick leave, holidays, insurance, and other benefits
- Vehicle allowance
- General business expenses, including dues, subscriptions, association memberships, and work-related travel expenses
- Severance provisions (see page 30 in Appendix A for important financial provisions relating to severance)
- Moving and relocation expenses

- Bonding and indemnification, which covers the responsibility of the employer to legally protect the manager in the conduct of official business
- Other terms and conditions of employment that may be incorporated by mutual consent.

When you negotiate an employment agreement, it's important to talk about it directly with the governing body. If the governing body has proposed the agreement, you then have a chance to make requests and ask for amendments. Both parties should have the opportunity to examine the agreement or to have it examined by legal counsel or a trusted advisor, and both parties should sign the agreement before you report for duty.

Because of its importance, it may be worth the time and expense up front to have your own legal counsel review the employment agreement and advise you during the negotiations. When selecting an attorney, check with your state association or a colleague to see if a list of attorneys is available or contact an ICMA Senior Advisor. Some state associations have a pool of attorneys available to assist their members at reduced rates. When looking to hire an attorney, select one with experience in employment law and one whose firm does not have any conflict of interest with the community or members of the governing body. And, if you're relocating to a new state, be sure the attorney is licensed in that state and familiar with its employment laws and case law regarding employment agreements.

Build Resilience

Whether you're leaving your position now or preparing for possible termination later, you'll be well served by building resilience in your personal life and your career. Resilience helps bring security in a constantly changing world. Resilience means anticipating risks and feeling comfortable with change. Resilience involves limiting damage during turbulent times, absorbing hard knocks, regrouping and bouncing back when the worst happens. It's the ability to start feeling better and to bolster your confidence after a setback. It's remaining engaged in the midst of shifting challenges.

These tips can help you weather the unexpected throughout your career—and they're particularly relevant during periods of stress:

Embrace Lifelong Learning. The most innovative and resilient local government managers tend to frequently engage in learning/mastering new skills. By taking online courses, enrolling in professional development



workshops, and attending regional and international ICMA conferences, you can keep your skills sharp and your resume attractive. Consider participating in the [ICMA Voluntary Credentialing Program](#) or your state association's certification program if it has one. As an added benefit, you'll increase your self-confidence and appear more competitive when you apply for positions in the future.

Cultivate a Robust Professional Network. Develop a strong network of positive relationships. Don't wait until you face a crisis but start now to methodically extend your circle. Attend events even when you don't feel like it. Volunteer to participate in ICMA or other professional associations, as it's a great way to meet other professionals. Join discussion groups online. Recruit mentors and find ways to mentor others. In addition to the Senior Advisor program, ICMA has a [Coaching Program](#). Look for ways to support friends, colleagues, and even casual business acquaintances. And know that they will be there to accept, support, and inspire you during the hard times.

Actively Manage Your Career. No one is better positioned to manage your career than you. Take charge of your career trajectory by first reflecting on your strengths, development opportunities, past experiences, and current role. To identify your professional strengths and opportunities for improvement, consider completing ICMA's [Management Assessment](#) (formerly known as the

Applied Knowledge Assessment). Next, determine (and write down) your short- and long-term professional goals. Revisit these goals over time, regularly assessing and revising them as needed.

Look Toward the Future. The most resilient local government managers don't get mired in the past; rather, they look forward to the future. We are professional troubleshooters, so try to view each challenge you face as an opportunity for growth and improvement. Stay optimistic, tuned in, and ready to embrace potential opportunities as they arise.

Get in Shape. Your career is influenced by everything you do to stay in shape—financially, physically, emotionally, and spiritually. To do your best work, and to build the resilience that will keep you going, manage your fitness and energy levels, as well as your time.

Make Sure Your Personal Finances Are in Order. Because of the possibility of sudden termination, it's very important to be financially secure. Don't bank on a severance check to keep you afloat while you're in transition. Sometimes separations get messy, and your final paycheck could be delayed. Perhaps one of the most foreboding aspects of being in transition is not knowing how long it may be before you secure your next job. In the meantime, family and household expenses continue. Even with a generous severance, the money eventually runs out. Most city/county managers can experience a transition period of three

to nine months, but some extend well over a year. This uncertainty adds to the stress, so it's prudent to analyze your personal finances and adjust accordingly to prepare for the financial burden of a transition.

Keep Your Resume and References Updated. The last time you looked at your resume was probably when you were applying for your current position. Yet, your resume is the first tool you'll need when you look for your next job. Because you never know when you'll need it, keep it up to date by adding your current position and any new activities and accomplishments. A good habit would be to update your resume periodically—at least at the same time as your annual performance evaluation. You may have precious little time to update your resume during the transition as you put your time and energy into research and networking. And if you feel rushed when an application deadline is looming, you're unlikely to do your best work.

Develop Strong Relationships

Preparation also requires having strong personal relationships, which can be a key to a local government manager's success and longevity. Positive social interactions at work help maintain a positive work environment and build a workplace characterized by employee trust, respect, and confidence. Here are the types of relationships a manager should try to build.

Council and Board. Make it a point to build strong relationships with the council or board members. You want to establish trust and credibility early. Learn about them and their preferences, their hot buttons and quirks, and how they define success. Understand their level of accessibility, work schedules, and personal demands. Ways to get to know them include traveling and/or attending conferences together, attending community meetings together, participating in offsite retreats for strategic planning or team building, getting out of the office and walking around with elected officials (possibly to see projects or visit their ward/district), or meeting together with business leaders. Make sure to hold regular face-to-face meetings with governing board members.

Department Heads. Build professional and personal relationships with department heads. They want to know what their role is, how their performance will be measured, how you make decisions, and how you will support them. Get to know them as individuals; get to know their personal and professional backgrounds,

their interests and passions, what excites them; maybe ask about the books they read, their take on the city or county's business climate. Remember to avoid interrogations and be careful not to make quick personnel decisions before you have a full picture and consider all the options.

Direct Reports. Build a strong relationship with your immediate subordinate(s), perhaps an assistant manager, based on a commitment to truth telling and mutual accountability. Value and respect the staff and get to know them—early in your tenure if possible. Understand the changes they would like to see and the roadblocks they face to getting their jobs done. Let them know you support their success and have their interests in mind.

Community. Connect with individuals from the community—key thought leaders, business owners and executives, chamber of commerce members, fellow gym members, and faith community leaders. Service clubs attract leaders from many vocations. Members in these organizations are diverse in thought and backgrounds and can offer you an outsider's perspective on your city/county; and service clubs provide needed benefits and help to the community. The friendships you make, the relationships you build, the people you help, and the community you serve are all worth it.

Labor Leaders. Reach out to labor leaders. Learn the history of labor relations in the community. Meet with local leaders as soon as possible after you start a job. If it's feasible, find ways to include union representatives in budget discussions and seek assistance from union representatives and workers on matters affecting operations.

Media/Press. Developing and maintaining strong relationships with the media is very important. If you've built a reputation with reporters and editors for being credible, being a "straight shooter," and being open and transparent, it will aid you during a transition.

Colleagues. Reach out to colleagues in local government—other city and county managers, school superintendents, and managers of special districts. Organize a monthly lunch to talk about joint projects or needs. Ask their perceptions of your organization's culture and business climate and your performance. Find ways to help them if you can.

Professional Organizations. Build positive relationships with individuals in professional organizations such as ICMA, the National League of Cities, and the

National Association of Counties, as well as your state association. You benefit not only from the educational sessions and training they offer but also from the networking opportunities.

Recruitment Firms. Develop professional relationships with human resources firms and professional recruiters before you need them. These individuals help organizations fill vacant positions. They can also provide coaching and tips for your resume and interviews and help you find a new position if you find yourself in transition.

Communicate

It goes without saying that communication between the manager and the governing body is critical. Clear and open communication ensures that everyone is on the same page about objectives, direction, and expectations. It means everyone knows where they stand. But if there is a disconnect and information isn't flowing properly or regularly, the manager-council relationship can become strained, with disastrous results. Elected boards have often cited inadequate communication as a primary reason to terminate managers.

What can you do to improve communications and ensure and maintain an effective working relationship with the governing body? Here are some strategies:

Make Time for Elected Officials. Never pass up an opportunity to sit down and have one-on-one conversations with elected officials. While this exercise can become time-consuming, it underscores that you value their opinions and input. Also, some elected officials may feel more comfortable communicating with you in a personal, informal environment than in a formal setting such as a board meeting. This is also a good time to bounce ideas off individual elected officials and make them feel a part of your thought and decision-making process.

Tailor Communication to Individual Preferences. Managers want to provide elected officials with the information they need to be productive. However, elected officials may have different needs as to the type, volume, and frequency of communication from the manager. Some want personal phone calls, while others prefer occasional emails and formal reports as needed to convey a particular piece of information. Some want lots of details, while others may want just a summary. Sometimes the best approach is simply to ask, either individually or as a group, what effective communication looks like to them and then tailor

communication as needed. At the same time, be very careful not to appear to play favorites with individual elected officials but regularly update the entire council or board. If one member of the elected body requests information, share the information with all of them.

Establish a Regular Form of Communication. While it's important to adjust communication styles to individual elected officials, all elected officials should receive the same base of information. This can take the form of a weekly "Manager's Activities Report" that highlights significant events, meetings, initiatives, staff accomplishments, and other items of interest. The report can be communicated by email or another method. It's also a good idea to build into the elected officials' meeting agenda a specified time for the manager to make an oral report to the governing body and the attending public. Newsletters can also provide good, general information for the elected officials and the public at large. Finally, take advantage of the jurisdiction's social media outlets to support and advocate for projects that the governing body has approved and is promoting.

Know How to Communicate Bad News. No governing board member wants to be blindsided with bad news from a constituent or the media, so it's imperative to get out in front of an emerging situation and convey news, good or bad, to them. When the news is bad, especially because of a failure of the organization, it's critical to communicate clearly, accurately, and quickly. You can't afford to delay communicating or to "spin" the story, because you'll appear to be hiding or "sugar-coating" a bad situation. Most people are more likely to forgive an honest mistake than to forgive what appears to be an unclear and less-than-open communication about what happened.

Build Opportunities to Brief New Members. After an election in which new governing body members replace former members, the manager has an excellent opportunity to spend one-on-one time with each new member as well as to provide an orientation for all incoming members. This orientation should include subjects such as form of government, organization structure, meeting protocols, and communication methods. While the orientation provides valuable information to the new members about their new position, the one-on-one meetings provide the manager with a terrific opportunity to begin building rapport with each new member and understand how best to interact with him or her.



Encourage Communication among Elected Officials.

While it's important for the manager to communicate effectively with elected officials as a group and individually, it can be just as important for governing board members to communicate effectively with each other. Do what you can to facilitate and encourage good communication among elected officials. It will facilitate a better working environment for you and the elected body and better governance for the community.

Resist Encroachment. While building effective working relationships with elected officials, be sure to understand your role and responsibilities and those of the governing body and regularly review roles and responsibilities during orientation sessions. It may be tempting to permit small encroachments into a manager's area of responsibility to keep the peace or as a compromise. But you should resist this urge. It never works in the long run. It will leave you open to future requests or other encroachment and can backfire if other governing body members call you out for it.

Know the "Warning Signs"

Despite your efforts, your relationship with the governing body may deteriorate, and you need to be aware of the warning signs that can portend a termination. A fundamental principle of professional local government management is political neutrality. However, that does not mean managers should ignore the political environment in which they and the governing board operate. Be aware of shifting political

winds and keep a constant eye on your relationship with the governing body and its individual members. Assessing these relationships can provide clues about your future with them, specifically if an involuntary termination is on the horizon.

Here are 14 warning signs that your relationship with the governing body may be in trouble. Appendix B elaborates on each of them:

1. An election signals the possibility of a new agenda by the governing body.
2. Even in the absence of a recent election, you perceive shifts in the governing body's attitudes, positions, or priorities.
3. You notice a gradual reduction in the frequency and/or substance of communications from governing body members and a decrease in the number of your recommendations they accept.
4. Elected officials increasingly attempt to circumvent you and go through others, usually your staff.
5. You notice a gradual increase in the frequency of criticism of you (and possibly your staff) in the media or public meetings.
6. You notice internal or external "rumors" about your actions or overall performance.
7. You notice a pattern of lower ratings in your performance evaluations.
8. The governing body calls an executive session for a "special" review of your performance.

9. The elected body delays or stalls negotiations to renew your contract (if you have a term-based contract).
10. You receive no salary increase or a minimal increase following your performance evaluation.
11. The governing body gives you new goals and objectives with an unrealistic time frame for completion.
12. The governing body starts to “nitpick.”
13. Out of the blue, your professional colleagues reach out asking you if you’re OK.
14. Elected officials dodge direct confrontational issues with you by assuring you “not to worry.”

Understand the Governing Body’s Perspective

If the time comes when these warning signs evolve into calls for your termination, try to carefully assess the elected officials’ attitudes, perspectives, and opinions relative to your relationship with them. Ask yourself: How would you characterize the apparent animosity they have toward you? What factors are driving their concerns leading to termination? Are they unanimous or divided on these concerns? Are some members more ardent and some more sympathetic in their attitudes? Are some “leaders” calling for your termination and some “followers”?

Newly elected officials often mistakenly assume the manager will have the same agenda as the “old guard”

that was just voted out, and they conclude that the manager must leave as well so that they can have their “own team” in place. You may be able to counter this by providing some basic education, first when they are candidates and then during orientation: that managers work for the current governing body and are professionally obligated to honor their agenda. If this message is clear, newly elected officials are likely to give you a reasonable opportunity to demonstrate your ability to shift directions in response to the results of an election. Of course, there’s no guarantee . . .

Governing bodies generally do not want to terminate the manager. Terminations are “messy,” and they frequently see it as a last resort. Since they operate in a political environment, they may certainly gauge the public and media reaction to a threatened or actual termination as they do with other decisions.

Governing bodies may or may not fully understand the difficulty of filling the position after terminating the manager. However, most managers who have experienced transition would caution you that once the governing body has made a decision to part ways, it is unlikely to reverse that decision. This may be the best opportunity for a manager to negotiate a favorable exit and/or severance package.

No matter the final outcome, understanding the individual and collective attitudes of the elected officials is key to your response, your behavior, and how you manage yourself to a successful exodus.



SECTION III

Navigating the Transition

When you and the governing body have come to the mutual conclusion that a separation is inevitable, developing a satisfactory exit strategy and navigating the departure are crucial.

If you have a written employment agreement—preferably agreed upon at the beginning of your tenure—it likely encompasses the terms and conditions affecting your exit. You and the governing body will need to adhere to those terms and conditions. (See the ICMA [Model Employment Agreement](#) cited earlier and the explanation of the common terms and conditions of an agreement in Appendix A).

If you have an employment agreement, begin by re-familiarizing yourself with its terms and inform the governing body of the provisions that need to be activated immediately upon termination. A well-written agreement will be clear, concise, and unambiguous, leaving little or no room for potentially contentious interpretations. This document is your leverage for enforcing your rights in an equitable separation. Sometimes a governing body will try to minimize or negatively change provisions of the agreement in an effort to save money. You should consider this a breach of contract and aggressively push for the full enforcement of the provisions as stated. The governing body may also be willing to negotiate more favorable terms if it minimizes negative publicity.

If your agreement is poorly written, vague, incomplete, or ambiguous, negotiating the terms of your departure on the way out the door is much more difficult, although not impossible. If you identify weaknesses in your agreement during your tenure, try to get them strengthened at the earliest opportune time—perhaps following a positive performance evaluation.

Without an agreement specifically tailored to your position as the city or county manager, you may be left only with the general provisions of the organization's

personnel policies. These are likely insufficient to see you through a lengthy transition period. Nevertheless, do not hesitate to incorporate provisions in the personnel policy into your contract when you're negotiating it. Governing bodies can change personnel policies unilaterally, possibly eliminating benefits. However, if these benefits are part of your agreement, they do not automatically change if organizational policies change.

If you don't have an employment agreement, you obviously should attempt to negotiate favorable terms at the time of separation. Admittedly, this can be difficult after the relationship has gone bad. Your negotiating position has been compromised, and the governing body may have little incentive to be generous or even receptive. Still, as mentioned earlier, governing bodies often seek to make a manager's departure as painless as possible for everyone and may be sympathetic to a severance payout and/or an extension of health insurance benefits if it will ease public pressure or negative media coverage. At a minimum, you should receive a payout of unused vacation and other leave benefits that you're entitled to under state law or the jurisdiction's personnel policy.

Once your termination is official and its terms established, think carefully about how to navigate the transition period professionally.

Leave on the Best Terms Possible

If you're fired, make every effort to leave on the best possible terms between you and the governing body. Perhaps the most important element of navigating a transition successfully is your public reaction. How you

respond will set the tone for your personal reputation, your legacy in the community, and your prospects for future employment.

There's an old saying: *"Life is 10 percent what happens to you and 90 percent how you react to it."* Shortly after the termination, and possibly beforehand, the community and local media will know that the relationship is "strained." Do not give them any reason to characterize it as any worse than that. As difficult as it might be, take the high road and resist the natural tendency to lash out at the governing body or the community, display anger, or cast blame. At the end of the day, all we have as managers is our reputation. Your response can either bolster or damage your reputation—and damage can be long-lasting. An impulsive misstatement can sabotage your prospects for getting the next job.

It may be best to avoid the media for a few days after your termination to let tension subside. The media will want your immediate reaction, but consider not responding so quickly. However, do not fail to respond eventually. When you do, avoid talking about the governing body to the greatest extent possible. Discuss your accomplishments and highlight the ones of which you're particularly proud. Failure to respond makes you appear to be "hiding."

Depending on the politics surrounding the termination, you may need to defend yourself by correcting the record if your personal reputation is questioned. Make this determination very carefully and deliberately. If you do decide to respond, be sure you're just providing accurate information without employing any "scorched earth" tactics. It's far better to be gracious and simply thank the governing body and community for the opportunity to serve. You can acknowledge that when irreconcilable differences emerge, the manager has a professional obligation to leave, and that's what is occurring here.

Be prepared to accept some responsibility for a relationship that went bad; relationship breakdowns are seldom unilateral. Without getting into specifics, simply acknowledge that there may have been things that could have been done differently or better during your tenure. Such self-deprecating humility will likely generate goodwill from the media and community and help bolster your reputation—all personal capital that will help you in the transition.

Sometimes a public explanation of why you're leaving is necessary and advantageous, and discussions about the separation sometimes involve a mutual understanding

about what will or will not be publicly stated about the termination—either to the media or in future reference checks. The media and public are unlikely to be satisfied unless they get some explanation of the separation. It's usually in the interests of both parties for any explanation to be as amicable and respectful as possible. This is not the time for either party to air any "dirty laundry." Rancor could be politically detrimental to the governing body and harmful to your reputation.

The statement should be mutually conciliatory, without details and specifics about the separation that could be contentious. It should convey that both parties are moving ahead separately with mutual respect and appreciation. The reason for the termination can be somewhat vague—"differences in communication style," "differences in management style," or "the organization needs a change in direction." The statement could even include the governing body's appreciation for accomplishments by the manager and the manager's appreciation for the opportunity to serve the community.

The way you exit creates a lasting impression and reflects on how you value your work and your colleagues.

Consider Hiring an Attorney

One of the essential questions to consider as you move into a transition is whether or not you should have an attorney. The simple answer is the same one most attorneys give in response to legal questions: "It depends!"

If you have an employment agreement and there appears to be no dispute about the proper enforcement of its terms, you probably don't need an attorney. On the other hand, as noted before, if the governing body appears to be challenging any provisions of the agreement, that could be considered a breach of contract and you may need an attorney to assist you in securing your rights and properly enforcing the agreement. If you don't have an employment agreement, an attorney may be able to help you secure some benefits at the time of separation, so it may be advantageous to hire one.

Securing legal counsel will change the dynamics between you and the governing body. It could unnecessarily raise the level of contention and negatively affect discussions that are otherwise proceeding amicably, undermining your goal of leaving with relations on a positive note. Accordingly, you could take a lower-key approach by retaining an attorney privately to provide advice and to review documents. Alternatively, informing the governing body that you

have retained your own counsel could put them on notice that you will not be taken advantage of in completing the separation.

Hiring an attorney could add considerable personal expense at a time when you can least afford it. Some state associations have a pool of attorneys available to assist their members at reduced rates. Check with your state association or an [ICMA Senior Advisor](#) to see if such a list exists. When selecting an attorney, do not hire the city or county attorney. While you may have had an excellent working relationship with that individual, remember that the attorney represents the organization's interests, not yours. That individual will be representing the governing body in matters concerning your separation. If you do hire an attorney, be sure to select one with experience in employment law and one whose firm has no conflicts of interest with the community or members of the governing body.

If negotiations over the terms and conditions of your separation completely break down, you may be left with the last resort option of deciding whether to simply walk away with what little the negotiations have yielded or to sue the governing body. Again, this involves a careful calculation of risk versus reward. You and your attorney will need to assess the entire situation and determine whether or not to proceed with a suit.

Talk with the Staff

The elapsed time between the termination and the official departure (when you clean out your office) is usually fairly short. If you have the opportunity, it's usually beneficial to communicate with the employees, at least the department heads, about the pending termination to avoid the element of surprise. This affords you an opportunity to inform them about a monumental change they will soon be facing. It also allows you to thank them for their service under your leadership. Like your public reaction, your comments should take the high road and avoid disparaging the elected officials to staff.

Accept References from Your (Former) Employer

It's possible that members of the governing body of a prospective employer will ask the governing body of your previous employer for a reference check as they are considering your application. You may be able to secure agreement that the separating employer will not provide

disparaging comments to a prospective employer. (Often the nondisparagement provision applies to both parties.) In the best of situations, you may be able to secure a positive reference or letter of recommendation.

If a member of the governing body offers to be a reference, accept the offer. It will help mitigate concerns a future governing body may have about your termination by the last one. Identify and stay in contact with current or past elected officials who could serve as references without violating agreed-upon restrictions. In situations where the vote for the separation was not unanimous, one or more dissenting members, or supporters of yours, may agree or even offer to serve as references. Keep them posted on your job search, let them know when they may be contacted, and provide them with information about the position you're seeking, including the job description and key strengths you would bring to the new position.

A less desirable alternative to the nondisparagement agreement is a mutual agreement that nothing will be said either positive or negative by you or the separating governing body about your job performance or conditions surrounding your exit. This "gag order" works both ways, however. It may be beneficial to keep any negative considerations silent, but it may also prevent you from providing a positive explanation for why you left. Another option is to rely on the public statement that you and the governing body agreed on to explain your termination to the media and the community.

Prepare Family Members

When you've been fired, have candid conversations about what has occurred with family members who will be affected—spouse, partner, children, and possibly other relatives. Prepare them for media attention and potentially malicious rumors and other misinformation that may circulate during the transition. Social media platforms will almost certainly be a source of such information. This situation is especially challenging if you have school-age children who are on social media and who may hear from their peers. Make sure the children understand that none of this is their fault. Remind family members that discretion is the better part of valor and that it's important to resist the temptation to express frustration and anger on social media. It may also be necessary to ask family members to abide by any agreement you've made to avoid criticism or disparagement of the governing body or community or to refrain from disclosing the terms of separation.

TRY TO STAY POSITIVE

You may experience a natural tendency to feel desperately unappreciated for constantly putting your best foot forward and doing what you believe is a very good job. Worse yet, you may feel guilt, shame, embarrassment, a sense of failure, or even a diminished sense of self-worth.

These emotions are natural but must not become all-consuming. Terminations are seldom about your performance, so don't allow the previous employer to define who you are, and don't allow the termination to undermine your pride in your accomplishments. Usually, terminations are about politics, changes in directions or priorities, or simply differences in opinions, attitudes, or perspectives. They are usually not about your direct performance. The best tool in your arsenal to move forward is a healthy, positive attitude.

Local government managers all too often define themselves by what they do because they have a strong commitment and dedication to the profession built over many years. However, it can be dangerous to let your career become the "whole" of who you are as a person. Said another way: don't put your ego so close to your position that when your position falls, your ego falls with it. Seek counseling if necessary. Ask your previous employer to allow access to its employee assistance program (EAP), even if you initially believe you may not need it. Over time you may discover that some counseling would be helpful, and an EAP will be significantly less costly than a private counselor.

Above all, be proud of your accomplishments and your record of service. Take a moment to review what you've accomplished and take pride in that list. This self-satisfaction will keep you motivated and help you move on to your next position.

In the local government management profession, a new job is likely to mean geographic relocation. If this is the case, start to have those conversations too. Sometimes a change of scenery can be good for all parties, but it's also disruptive, and you need to prepare your family for the possibility in advance.

Take Care of Yourself

After years of putting your organization first, it's time to put yourself and your family first. Your transition will be much smoother if you've maintained a healthy balance physically, mentally, emotionally, and perhaps spiritually. Take this opportunity to reflect and give yourself a chance to grieve, come to terms with what has happened, and perhaps mourn the loss of connections among people with whom you've worked so closely. Eventually, you'll realize that the only direction is forward. Use this experience as an opportunity to improve and learn. Traumatic experiences usually build personal resilience, and you will grow from having gone through it.

While you must waste little time in launching your job search, give yourself permission to create some

distance from your former position before immediately jumping in. Your search will likely be more fruitful if you use some of this transition time for a well-deserved break from your career. This is important for your family as well as for your own well-being. Schedule personal time to relax and regroup. Keep yourself occupied and stay engaged in purposeful activities. Many MITs have found that while time in transition is stressful, it may represent the most free time you'll have before you retire, so make the most of it.

Recognize that the changes brought about by being in transition are likely to increase stress. It's important to acknowledge that and take active steps to manage it. Here are suggestions:

- Return to old hobbies, interests, or sporting activities or cultivate new ones.
- Develop or maintain daily routines that get you out of bed and outside every day.
- Undertake household projects that you've put on hold (particularly projects that need to be completed before you sell your house).
- Get plenty of physical exercise. This will help you stay positive and think clearly. If you don't have

ICMA SUPPORT FOR MANAGERS IN TRANSITION

ICMA provides members in transition with special access to resources that will assist them during their transition period. Information appears on the [Members in Transition](#) website:

- An editable [Model Employment Agreement](#)
- Access to experienced [Senior Advisors](#), ICMA leadership and staff, and other ICMA members
- A [Career Center](#) and resources such as the [ICMA Job Hunting Handbook for Local Government Professionals](#)
- Links to information about [support from state associations](#)
- Waiver of ICMA dues for up to three years
- Waiver of registration fees for the ICMA Annual Conference and ICMA University Webinars
- [Reputation management resources](#)
- [Equilibrium](#), ICMA's benefit to provide complimentary access to wellness, mental, physical, and financial services.

a gym membership, you may be able to find an inexpensive facility or use public parks and trails.

- Maintain healthy eating and sleeping habits.
- Spend time catching up on reading and stay current with news.
- Consider community education classes to pursue a new hobby or skill.
- Spend 30 minutes each day reflecting on your situation and writing in a journal.
- Take advantage of free services offered through the local public library.
- Stay connected with friends and relatives.
- Meet your spouse, partner, or a good friend for lunch a couple of times each week.
- Help your children and their school with activities (e.g., field trips).
- Stay active and involved in civic, community, and volunteer organizations.
- Develop new friendships outside of work.
- Consider short trips to give you a break from the community and to connect with family.
- Build a relationship with a person you admire; seek out a coach or mentor.
- Rely on your faith for personal strength.
- Identify and reach out to professional colleagues and support networks. You most likely have cultivated

a strong personal network over the years just by friendships and associations with others. Use them.

- Be aware of the resources offered by ICMA and your state association.
- Consider counseling for yourself and your family. ICMA provides each MIT with access to Equilibrium, a benefit structured like an employee assistance program that provides mental, physical, and financial help for the member and his or her family. Whether or not you have this benefit as part of your severance package, the ICMA benefit is there for your use.

Stay Productive During Transition

The tips for managing stress include many suggestions for activities you can undertake during a transition period. Here are some more concrete ideas.

- Consider special projects, interim assignments, or other meaningful work that can keep you engaged and hone your skills. Your skills are valuable, and you should not be afraid to market them through your professional network.
- Some executive recruitment firms even offer temporary placements. Contacts you make during interim projects can be great references in the future. Do be realistic about time commitments, however, and the professional relationship involved.

- Consider part-time teaching at a local college or lecturing at a professional training center. Again, be cautious about overcommitting.
- Consider community volunteer activities. This is another great way to keep using your skills and build your network.
- Take time to reevaluate your career goals. This may be an opportunity to consider an assistant manager or department head position.
- Keep up with professional development. Pursuing learning opportunities during your transition demonstrates commitment to the profession. It can keep you engaged and build your long-term credentials. ICMA and most state associations offer reduced or free registration for conferences and training programs. Attending these events can help you maintain connections with colleagues and the profession and, if you're an [ICMA Credentialed Manager](#), it helps satisfy your professional development and continuing education requirements. Opportunities may present themselves that you may not have been able to consider while working full time.

To reiterate an important point, be realistic about the time commitments involved in pursuing these suggestions, and find your own balance between “extracurricular” activities and the time you need to focus on your job search and the goal of finding your next career opportunity.

Explore Career Options

As noted earlier, you can make your transition a time to reflect on what you genuinely enjoy the most in your work. Explore options by attending association meetings, networking in other areas of specialization, and attending free trainings and webinars that interest you. Explore the possibility of completing a career counseling survey that will help analyze your strengths and interests. Many job-search firms and executive recruiting organizations offer these services free or at minimal cost.

[ICMA Senior Advisors](#) are an excellent resource for career counseling, and the [ICMA Coaching Program](#) offers career coaching resources, including CoachConnect, which matches you with a coach whose background is compatible with your needs and who can schedule personalized, confidential sessions. These coaches have volunteered their time and are willing to help any way they can. Many coaches have been MITs

themselves and can provide practical advice from their experience. As an ICMA member, you can connect with a coach using an [online form](#).

The next chapter of your career does not need to read like the last chapter. During the transition you may have considered career choices other than local government—or other than CAO.

Plan Your Job Search and Pursue It

Once you've decided what you want your next chapter to look like, the [ICMA Job Hunting Handbook for Local Government Professionals](#) can guide you through your search. You'll need to develop an updated resume and a newly minted cover letter, then start identifying organizations to target with your applications.

As mentioned before, you will need to consider relocation. Since any city or county has only one chief administrative officer, accepting a comparable position will usually require relocating to a different jurisdiction. Decide where you'd like to work next and how far you're willing to move. Identify openings by contacting executive search firms, searching the [ICMA Job Center](#), and keeping in touch with colleagues, ICMA, your state association, Senior Advisors, and other networks. Send out applications. Brush up your interview skills. Update your Facebook and LinkedIn profile pages so you can be found easily on social media.

Consider part-time employment to ease the financial burden of transition while you're still looking for full-time employment. Unless your personal finances demand it, don't jump too quickly to accept a new position with which you're not completely satisfied. Accepting an offer out of desperation seldom leads to a satisfying career for you and can be a disservice to the community.

Your cover letter should be targeted to each position you're applying for and should accompany your resume. Find out whether the jurisdiction to which you're applying requires applicants to complete a standard application (usually online) and be prepared to do that.

If you're applying for a position that's different from your immediate past positions or with an organization that may not be familiar with municipal government operations, be sure to tailor both your resume and your cover letter to the organization and position.

Be ready with a list of references from past employers and others. Maintain a record of key statistics about your prior organizations and communities such as population, number of employees, size of budget, and



special projects you've undertaken and completed that make your experiences stand out.

Prepare for interviews by accepting every opportunity to practice. Schedule mock interviews with colleagues or a Senior Advisor or take advantage of mock interview opportunities that executive recruitment firms often offer as part of a conference program. Specific tips appear in the next section.

Prepare for Interviews

Interviewing well is a skill, and like any skill it requires practice. Never walk into an interview thinking that you can speak off the cuff. Practice improves your ability to feel comfortable and respond confidently in real interview situations.

Interview Tips. In advance, research the organization and community and prepare answers for questions you're likely to be asked:

- Know who will be doing the interviewing. If the organization or recruiter does not tell you up front, ask who will be on the panel.
- Be sure you know whether the interview will be in person or virtual. If it's virtual, take the time to test your technology and be sure the setting, sound, and lighting help you put your best foot forward.
- Be clear and concise with your answers. If an interviewer reminds you of the time, your answers are too long.

- Use specific examples as often as you can when you answer questions.
- It's natural to use examples from your most recent projects and employment, but don't forget about *all* your experience. Try to demonstrate the full depth and breadth of your background.
- Demonstrate clearly that you want *this* job and *this* organization, not "any job in any organization."
- Provide context for your answers by describing the size of the staff, budget, scope of the project, and other relevant facts.
- Engage with everyone on the interview panel and treat everyone you meet as part of the interview process.
- Be prepared with one or two questions about the organization or the position that demonstrate you have given this some thought and that also will help you assess your match with the organization and team.
- Be mindful of and use inclusive language when you speak.
- Always dress professionally, even for a virtual interview.
- When given the opportunity to make a concluding remark, use that as your chance to ask for the job and "close the sale" with a memorable statement about why you're best for the position.

Respond to Questions about Your Termination. Without question, prospective employers will want to know why you left your last position. It's a standard interview question, and you should be prepared to answer it honestly and directly. Quite likely, if the prospective employer has done any vetting of your application, they'll already know the answer to this question and will want to see if your response matches. Terminations of public managers are almost always instant news, especially for high-profile positions. No doubt your termination received extensive media coverage that any prospective employer can easily find.

Involuntary separations are not terminal in this profession. Elected officials know that local government CAOs hold politically volatile positions and they're not generally inclined to reject otherwise good applicants because of a past termination—unless they perceive a disturbing pattern. Although past problems are not absolute predictors of future outcomes, they may be “red flags” for prospective employers, so have an appropriate response ready to allay their concern. If the employer is using an executive search firm, you can expect the firm's consultants to be familiar with this situation, and they will generally allay any prejudicial concerns elected officials may have about hiring a manager who has previously been terminated. Still, it's important to follow a few simple guidelines when describing your exodus from your prior position.

First, always be truthful, accurate, and appropriately thorough. Remember Tenet 3 of the ICMA Code of Ethics on this point: “Demonstrate by word and action the highest standards of ethical conduct and integrity in all public, professional, and personal relationships...”

Second, don't blame the previous governing body. Prospective employers don't want to hear you degrade former elected officials, as it may indicate how you would treat them if you were hired. Use the same approach you used in responding to the media when you were terminated (discussed earlier).

Third, admit mistakes you may have made (if there were any) and how you learned from those experiences. Be willing to accept some responsibility for a relationship that went bad. Prospective governing bodies are likely to appreciate this self-assured honesty and humility.

Fourth, respond clearly and concisely, whether the termination resulted from a change in philosophy after an election or from a mutual decision that the relationship was no longer productive. Because the media coverage

surrounding your departure will be available, be mindful of that as well, and be ready to address any discrepancies between your responses and the media reports. Again, don't disparage your former employer; you might even consider an answer that recognizes their right to make a change in direction. What is important is demonstrating that you have moved on, learned from the conflict, and are looking to the future. In any case, avoid over-explaining your departure. If you're interviewing for a position that appears to be a step down from your previous one in pay and/or responsibility, prepare to answer such obvious questions as “Is this a placeholder for you?” There's nothing wrong with a reduction in pay or responsibilities if the new position meets your current goals and preferences.

Manage Your Reputation

Although reputation management is important throughout your career, it's likely to take on particular importance during a transition. Reputation management involves active efforts to influence what and how people think of you based on your online presence. The first step in reputation management is to realize that it starts long before you land in transition. You should always be thoughtful and mindful about what you post on social media, what others post about you, and who can see your posts. Think before you comment. Even offhand remarks can later be questioned by potential employers.

Know What You Control. In terms of your personal reputation, you control your own actions, but you can't control how others interpret your actions—or those of your family. If family members are careful in what they say and do publicly, that discretion can become part of your reputation as well.

Because you don't control the actions of others, negative communications that can harm your reputation can occur at any time. But there's good news. Soon after a negative occurrence, the incident will mainly reside on the servers of Google, Bing, and/or other search engines. A reputation management professional can decrease its visibility by helping you create new, positive content that helps “bury” the negative occurrence.

Search engines and social media act as the public memory, and they can be manipulated to some degree. As advanced and effective as many reputation management techniques are, it's not possible to change how people think, only what they see. Here are some active steps you can take to maintain a *positive online reputation*:

PROVIDING PEER SUPPORT

When ICMA members who have been in transition reflect on their experience, they consistently cite the importance of outreach and support from peers. Transition can be very lonely, and MITs often have been under stress for a long time and welcome calls, personal notes, and email messages from colleagues. From the perspective of the colleagues who want to provide support, it can be hard to know what to say to a peer who has lost his or her job. Here are some tips that can help. Again, it's impossible to overemphasize the value and importance of peer support to those in transition.



- Make personal contact throughout the period of transition, which can last six months or longer. Many times, expressions of support come in the initial weeks or months but drop off as the transition period lengthens.
- Be willing to listen, sometimes allowing your colleague to simply vent. Never ask “how did you not see it coming?” Hindsight is always 20/20. But do listen if your colleague wants to talk about the warning signs he or she may have missed; recognizing them may help when the person is in the next position.
- Become familiar with the resources of ICMA and your regional and state management organizations so that you can connect your colleagues to those resources. (See the sidebar on page 21.)
- Continue inviting MITs to regional or state meetings and conferences and encourage the organizers to waive any registration or meal fees for the MIT. Offer to share travel or housing costs if appropriate.
- Offer part-time or contract employment positions to MITs when that's possible.
- If you're located close to an MIT geographically and have a workplace, offer temporary use of office space, computers, printers, and other resources during job searches, perhaps in return for part-time work as suggested above.
- Offer to provide feedback on resumes and cover letters and to conduct practice interviews.
- Encourage a colleague who is pursuing alternative career paths or considering relocation. Those decisions can be hard to make but may be in the best interest of the MIT even if you might not want to see a colleague leave the region or the profession.
- Remind your colleague about the value of the profession and the work he or she has accomplished. Sometimes we forget to celebrate our victories, or they get lost in the midst of other things.
- Be patient if a colleague seems to be uncertain about next steps. Transition can be daunting, personally and professionally, so pausing from time to time is OK.
- Reach out, reach out, reach out! Even if your colleague doesn't return your call or email right away, those managers who have been in transition can assure you that it did help to know a colleague cared.

- Assess your current online presence. Start by simply entering your name in a search engine (“Google yourself”). See what comes up and whether your search results are mostly positive or negative. Keep a careful watch on what others are saying about you online.
- Create positive content. Focus on the communication channels you can control (your website, blog, social media pages). For example, you might create a blog post describing one of your volunteer activities. You can also ask colleagues and others you have worked with to post endorsements or recommendations on your LinkedIn page.
- Focus on your professional brand. Your overall professional brand is key. Be transparent and make sure that anything you post online reinforces that brand.

Manage Your Online Reputation. You may choose to manage your reputation on your own or with the help of a reputation management consultant. Either way, you will monitor and work to improve your reputation over time, using your search engine results as a baseline. Setting up a [Google Alert](#) is a great first place to start. Set up an alert for a term (e.g., your name), and you’ll receive an email when positive or negative news articles, blogs, reviews, or images are posted, so you can see what people are seeing and saying about you.

Consider Professional Assistance. A reputation management company or independent consultant can help improve your reputation faster and more efficiently than you can do it yourself. These professionals will likely have dealt with situations similar to yours before and will know exactly what works and what doesn’t to improve your online image. Here are a few things to consider when choosing a reputation management consultant:

- How many years of experience does the consultant or company have?
- Do they specialize in the specific area of reputation management you need help with?
- Do they deliver exceptional customer service? Will they be available to answer any questions you may have or to deal with crises as they unfold?
- Will they provide you with an objective analysis of your reputation free of charge and develop a strategic blueprint to place your reputation in a positive light?
- Have you researched and reviewed their references/testimonials?

The ICMA Members in Transition website lists [resources for reputation management](#). To summarize, your online reputation is largely out of your control, but there are things that you can do—both proactively and reactively—to manage it.



SECTION IV

Conclusion

Termination from your position is one of the occupational hazards of professional local government management.

Newly elected members of the governing body may believe that the manager served the “old guard” and will not carry out their new priorities. Or the governing body may blame the manager for events beyond anyone’s control. Or communication and trust between the elected and appointed leaders may simply break down.

When you become an MIT—a member in transition—it’s natural to feel unappreciated, rejected, and stressed. You lose your regular paycheck as well as your job and face the daunting prospect of searching for a new position and very likely moving to a new and unfamiliar community. Adding to your stress is worry about the effect of the termination and job change on your family.

This guide recognizes that reality and offers perspectives, advice, and resources that can help you prevent termination, prepare for it when you see the handwriting on the wall, and navigate as graceful a

transition as possible from your previous job into your new one.

Support from your professional associations and colleagues can be enormously helpful during transition. ICMA and many state associations assist MITs by waiving or reducing fees, offering complimentary access to conferences and professional development opportunities, and reaching out personally to members who have been—or are about to be—fired. Don’t hesitate to reach out to colleagues, an ICMA Senior Advisor, or a counselor if you need help navigating the transition. This guide also includes tips for those who want to support their MIT colleagues.

Whether you’re currently in transition or anticipating the possibility, this guide provides food for thought as well as practical strategies to help you learn from your experience, take steps to get through it, and emerge with your personal strength and professionalism intact.

APPENDIX A

Terms of a Typical Employment Agreement

The employment agreement is a legally binding agreement between two parties, the local government (“Employer”) and the manager (“Employee”). Following are the terms that are generally covered in an agreement for a professional local government manager.

ICMA offers a [Model Employment Agreement](#) that members can download and edit to fit the needs of their specific situation.

Duties and Authority. This section spells out the Employer’s intent to employ the Employee and for the Employee to perform the functions and duties specified in the charter, code of ordinances, or other legal authority that defines permissible and proper duties and functions.

Term. This section spells out the length of the initial appointment, if applicable, or states that the Employee serves at the will and pleasure of the Employer. Usually, the agreement doesn’t prevent, limit, or otherwise interfere with the right of the Employer to terminate the services of the Employee at any time, with or without cause. However, any termination is subject to specific provisions in the contract (e.g., with or without cause, severance pay, and so on).

Commitment to Ethical Standards. An ICMA member’s employment agreement should state that the manager is committed to the ICMA Code of Ethics.

Compensation. This section should spell out the beginning base salary and payroll schedule (usually the same as for other management staff). Other areas to be covered here include any initial probationary period and guidelines for salary increases pursuant to regular required performance evaluations or across-the-board adjustments given to other employees of the Employer.

Leave and Other Benefits. This section typically states that the Employee will be granted vacation time, sick leave, and holiday leave and will receive such other

benefits as retirement contributions and health, dental, and life insurance as other employees receive. The Employee should also be entitled to receive payment for all accrued vacation leave at the time of separation of service with the Employer.

Vehicle Allowance. This section states that the Employee will receive a defined vehicle allowance during the term of the agreement for use of his or her personal vehicle for official business or will have access to a vehicle owned by the Employer.

General Business Expenses. This section typically states that the Employer agrees to budget and pay for professional dues and subscriptions necessary for the Employee’s continuation and participation in professional organizations such as ICMA, state associations, and civic clubs. In addition, the Employer agrees to budget and pay for such expenses as registration, lodging, and meals while the Employee is conducting professional and official business such as meetings and other events to continue the professional development of the Employee and to pursue necessary official functions for the Employer. Other expenses may be accounted for here, including provision of office equipment, allowance for cell phone, and other items for use in performing the job of the Employee.

Severance. This section outlines the responsibilities of the Employer if the Employee is terminated. It should state that severance will be paid to the Employee when employment is terminated for grounds other than “cause” as defined in the agreement. If the Employee is terminated without cause, the Employer will provide

a minimum severance payment equal to six months' salary at the current rate of pay plus standard benefits as provided to other employees, including vacation leave accrued through the date of termination. Typically, if the Employee is terminated for "cause" as defined in the agreement, the Employer is not obligated to pay severance. The agreement should spell out examples of "cause," including the Employee's breach of any provision of the agreement or neglect of duty and Employee's failure to cure within a reasonable amount of time, Employee's commission of acts of moral turpitude or any acts involving dishonesty or fraud, or Employee's conviction for the commission of a felony.

Particularly important financial provisions are:

- Payout of unused personal leave accumulated, such as sick or vacation leave
- Continuation of salary-as-severance compensation payout for as long as possible, generally not less than six months' current salary
- Continuation of health/medical insurance coverage for the same period
- Continuation of retirement/pension contribution for the same period
- Continuation of life insurance premium coverage for the same period
- Access to the organization's employee assistance program.

You may have the option to choose whether you prefer the salary payout to be a lump sum or to be paid over the duration of the severance period. One may be better than the other for your personal situation. Either option may impact your eligibility for unemployment compensation and may also have tax implications. Each state is different, so check with your tax advisor to determine which is best for you.

Moving and Relocation Expenses. This section typically says that the Employee agrees to establish residence within the corporate boundaries of the jurisdiction within a set period of time (often within six months of employment) and thereafter to maintain residence within the corporate boundaries. The Employer generally pays an agreed amount for the expense of moving the Employee and his/her family and personal property to the new community. Moving expenses include packing, moving, unpacking, and insurance.

Bonding and Indemnification. This section outlines the responsibility of the Employer to legally protect the Employee in the conduct of official business. Beyond that required under federal, state, or local law, the Employer will defend, save harmless, and indemnify the Employee against any tort, professional liability claim, or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Employee's official duties or resulting from the exercise of judgment or discretion in connection with the performance of program duties or responsibilities, unless the act or omission involved willful or wanton misconduct. The Employer shall bear the full cost of any fidelity or other bonds required of the Employee under any law or ordinance.

Other Terms and Conditions of Employment. This section covers other general provisions that may be added by mutual consent of both parties. The Employer, in agreement with the Employee, shall fix any such other terms and conditions of employment, as it may determine from time to time, relating to the performance of the Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of the agreement. In addition, it is understood and agreed to that the Employee shall be entitled to the highest level of benefits that are enjoyed by other appointed employees, department heads, or general employees of the Employer as provided in the charter, code, personnel rules and regulations, or by practice.

APPENDIX B

Warning Signs

Sometimes a manager is fired without warning for no apparent reason. Often, however, a manager can see warning signs or clues that all is not well.

Sadly, this may occur in retrospect after the termination, but an alert manager can often pick them out in advance. A fundamental principle of professional local government management is political neutrality. However, that does not mean that managers should ignore the political environment in which they and the governing board operate. Be aware of shifting political winds that affect issues and keep a constant eye on your relationship with the governing body and its individual members. Assessing these relationships can provide clues about your future with them, specifically if an involuntary termination is on the horizon. Here are 14 warning signs that your relationship with the governing body may be in trouble.

1. An election signals the possibility of a new agenda by the governing body. Election changes will certainly mean changes in working relationships. New personalities change the dynamics of the governing body and the manager-council relationship, and these relationships take time to evolve. Changes in elected officials could mean they're looking for changes in staff leadership as well. Reflect on how they campaigned. What were their issues? How could any new "agenda" affect the current direction of the organization and your standing as the CAO?
2. Even in the absence of a recent election, you perceive shifts in the governing body's attitudes, positions, or priorities. As the manager, your agenda must be aligned with the agenda of the governing body. Remember: they are elected; you are not. Failure to recognize their changing positions or priorities or deliberately taking actions to oppose them could prove detrimental to your relationship and tenure. That's not to say you should not be steadfast in your staff recommendations or fail to advocate what you believe is in the best interest of the community. However, failure to implement duly adopted policies of the governing body not only can shorten your tenure, it's also a violation of the ICMA Code of Ethics: A guideline for Tenet 4 is "Recognize that elected representatives are accountable to their community for the decisions they make; members are responsible for implementing those decisions." (*The reason often publicly cited by elected officials for the involuntary termination of the manager in the two preceding situations is that "the organization needs to go in a new direction."*)
3. You notice a gradual reduction in the frequency and/or substance of communications from governing body members and a decrease in the number of your recommendations they accept. Both of these are indications of decreasing trust levels. The governing body no longer feels the need to seek your advice or otherwise work with you, indicating a decline in your value and relevancy to them. Professional managers need to be fully attuned to the varied communication styles and preferences of elected officials, but a pattern of overall decreasing communication, whatever the individual style, should be viewed as a warning sign.
4. Elected officials increasingly attempt to circumvent you and go through others, usually your staff. This violates a foundation of council-manager government, and the ICMA Code of Ethics requires members to "resist any encroachment on professional responsibilities." This encroachment is a further sign of a decreasing level of trust between you and the governing body. In this case,

elected officials may breach protocol by bypassing your authority and giving direction to subordinate staff. This should be addressed professionally and directly with elected officials and with staff. This may be unintentional and quite benign, but it still provides an opportunity to emphasize the importance of roles in this form of government.

Many governments have specific protocols mandating that all communication from the governing board go through the manager. This practice is strongly supported by ICMA and the reasons for it are obvious. Common sense may dictate flexibility depending on the specific nature of the communication (e.g., the difference between communications that are directives and those that are inquiries). Even for the most benign communication, however, staff have an obligation to inform the manager that it took place. Even seemingly minor issues can easily morph into major communication conflicts. *(The reason often publicly cited by elected officials for the involuntary termination of the manager in the two preceding situations is incompatibility with the manager's "communication style.")*

5. You notice a gradual increase in the frequency of criticism of you (and possibly your staff) in the media or public meetings. Often, this is simply a sign of elected officials politically stressing their independence from staff positions and bolstering their own political stock. If it occurs only occasionally it is usually no cause for alarm, especially if it seems limited to a specific issue. However, if public criticism of you and your overall job performance increases and appears to be a repeated public effort to discredit you, it becomes a cause for alarm.
6. You notice internal or external "rumors" about your actions or overall performance. In the age of social media, rumors are easy, frequent, and anonymous. Considering the public nature of your position, rumors are inevitable, and disgruntled employees are often the source. Even rumors that are, or border on, libel, slander, or defamation of character are generally not grounds for termination by a governing body, but rumors that contain even an element of truth can lay the groundwork. Address such rumors with the governing body immediately. Your silence, or at least absence of a denial or further explanation, could signal that the rumor

may have an element of truth. Efforts to proactively manage your professional reputation are addressed on pages 24 and 26.

7. You notice a pattern of lower ratings in your performance evaluations. Regular performance evaluations, done properly, can be productive, positive, and very beneficial. You should insist on holding such evaluations regularly, in a consistent format, and based on metrics aligned with your job description.

Unfortunately, too many elected bodies do not undertake evaluations properly. If you notice a pattern of lower ratings, that could reflect changing metrics by which the governing body is evaluating you, or it could indicate decreased satisfaction with your performance. Evaluations are part of the body of "evidence" elected officials use to justify a termination. You should immediately address these ratings with the governing body, visit with them personally to make sure you understand the extent, scope, and gravity of their concerns, and get them to tell you specifically what you need to do to improve their satisfaction with your performance. Be receptive and proactive to address their concerns. Document your actions.

8. The governing body calls an executive session for a "special" review of your performance. You may or may not be invited to attend. Most performance evaluations are held annually. However, when one or more elected officials call for a review outside of the usual schedule, it usually indicates that they have a reason and don't want to wait until the next scheduled review. This is usually not good news and generally does not mean they want to heap extraordinary praise on you for doing a good job—especially in an executive session! Such meetings may provide a certain amount of legal protection for the governing body from lawsuits if they decide to terminate you. You should try to learn what concerns led to the call for the meeting and be prepared. Often, such meetings are orchestrated quietly and quickly, preserving the element of surprise so the manager may receive little or no advance notice.

If you're being dismissed, and if the dismissal was governed by a "just cause" provision, you are automatically entitled to attend the termination hearing under the *Loudermill* decision of the U.S. Supreme Court. State laws and local provisions such

as a charter, ordinances, personnel policies, and your contract/employment agreement may also apply.

9. The elected body delays or stalls negotiations to renew your contract (if you have a term-based contract). Reluctance to move forward with renewal of your agreement can mean the governing body may not want to renew.
10. You receive no salary increase or a minimal increase following your performance evaluation. Salary adjustments are a good barometer of satisfaction, and if a minimal (or no) increase does not appear to be legitimately justified, this is generally a sign of dissatisfaction. Similarly, a salary adjustment less than that given to other employees is a bad sign.
11. The governing body gives you new goals and objectives with an unrealistic time frame for completion. A related sign is requests for overly detailed, marginally important, and voluminous information on almost everything, generating unnecessary “busywork” on issues with relatively little intrinsic value. This may be a deliberate attempt to set you up to fail by manufacturing examples of “poor performance.”
12. The governing body starts to “nitpick.” Again, this is usually an attempt to fabricate claims of poor performance that can be used as justification for termination.
13. Out of the blue, your professional colleagues reach out asking you if you’re OK. This may be a sign that they have learned of issues in your jurisdiction that could signal challenges to your tenure—that they see something you may not.
14. Elected officials dodge direct confrontational issues with you by assuring you “not to worry.”



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