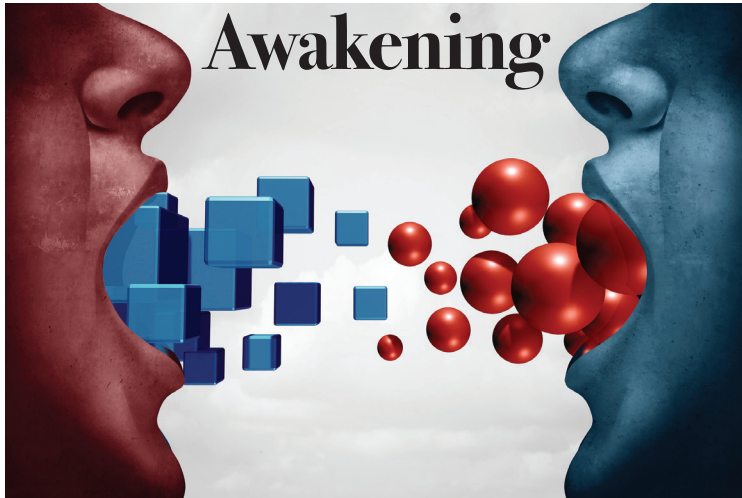


Rude Awakening



The CIP Society Insurance Institute of Canada

The CIP Society represents more than 17,000 graduates of the Insurance Institute of Canada's Fellow Chartered Insurance Professional (FCIP) and Chartered Insurance Professional (CIP) Programs. The CIP Society, through articles such as this, is working to bring ethical issues to the forefront and provide learning opportunities that enhance the professional ethics of all insurance professionals.

The claims process can be a tense time for insurance professionals involved, with things sometimes getting testy. Should criticism of a claims adjuster be included in an email between a broker and insurer, one in which both the adjuster and customer are also copied, then steps need to be taken to correct any wrongs done.

A competent independent adjuster was dealing with a difficult case, with tensions running high between the broker and the insurer. Having worked in the industry for more than a decade, this was nothing she had not seen before. She had learned that claim time is an emotional time for all parties involved, and understood that some customers expect a broker to champion for them at all costs.

The adjuster had exchanged a number of heated phone calls with the broker, and was working to straighten out some contradictory information

on the claim. She was shocked, though, when one morning both she and the customer were copied on a very unpleasant email from the broker to the insurer. The broker used language she had not heard since the schoolyard, and accused her of being incompetent.

The email stung on many levels, and the adjuster felt that it was completely unprovoked and entirely unprofessional. She had been embarrassed in front of the customer and the insurer representative, who, although new to the job, she anticipated she would be working with in the future. Left feeling as though she had to prove she was doing her job competently, is the onus on the adjuster to defend herself?

Not wanting to escalate things directly with the broker, she decided it was best to approach her manager to disclose what happened. The manager was similarly upset, but not surprised since the broker was known for sending unprofessional emails and copying customers.

What is the best way to address the broker's email and continuing unprofessional behaviour? When should the regulators get involved?

Lee-Ann Vansteenkiste, CIP

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How the adjuster responds will define her as a professional. It is very important to focus her commu-

nication on facts, and not immediately be on the defensive.

The broker's email must be acknowledged, both in writing to ensure there is a paper trail of communication, and then followed up with a phone call to all parties.

The response should start with a formal confirmation of the email: "Receipt is acknowledged of your email. I am sorry that you feel this way and trust the below will clarify the situation."

The response should be concise and factual, detailing in chronological order how the events of the claim have unfolded and what is required to move ahead. It should then end by inviting all parties to discuss the situation further either via a conference call or in person.

The adjuster should not acknowledge any personal attacks; she should also not place blame with anyone. If any part of the situation relates to work done or not done by the adjuster, then she should own up to it and make a plan to move forward.

It is not up to the adjuster to demonstrate the broker was acting unprofessionally. The adjuster's professional response will speak for itself and will build on her own reputation as being calm, professional and action-oriented.

With respect to dealing with the broker in the future, the best defence is an offence. The adjuster needs to ensure that she is consistently handling her files and communicating proactively and professionally.

At the end of the day, even if this broker continues to be aggressive, the adjuster will be able to, based on facts, explain her position. At some point, the insurer and the customer will understand the nature of the broker and can then decide if it makes good business sense to continue that relationship.

How insurance professionals respond to difficult situations will set the stage for their own personal branding.

In this case, success will follow the adjuster when she consistently ensures that her file-handling and communication tells the story of a proactive, customer-centric professional.

Randy Bushey, CIP
Broker Consultant

Bullying comes in various shapes and sizes. And bullies need to be confronted both in the schoolyard and in the business world.

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The victimized players in these scenarios often further damage their names by responding with more heat, less light — and bad timing. This adjuster will salvage her reputation by unflappably resolving the issues, and then moving to demonstrate the criticism is invalid and repairing any damage to her reputation.

Recognizing the age-old wisdom of taking responsibility for oneself — one can only control one's own behaviour and reaction — the adjuster should continue to resolve the issue and not be thrown off her game by the inflammatory and unfair criticism.

Because reputation is a highly valued commodity, and one that, once obtained, needs to be protected and defended, when the claim is closed — or this spe-

cific issue is resolved — the adjuster (or her manager) needs to calmly, but resolutely, stand up to the bully, demanding a written apology with all parties to the offending email copied in. This may need to be escalated to a higher level within the brokerage.

If refused, the next step is to file a complaint with the regulatory authority's Discipline Committee on the grounds of professional misconduct. If an adequate apology is received, the bully must know — clearly and firmly, but dispassionately — that a complaint will result if further bullying occurs.

Bullies need to be confronted, but most victims will not go that far; maybe that is because they do not recognize the inestimable value of a good reputation, and that the protection of this valuable asset starts with the owner.

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Should rude and obnoxious behaviour in others be tolerated? Some people will have bad days, and in most cases, those who do, will apologize for their behaviour and all is well.

But when someone persists in using emails as a weapon to insult, trash or otherwise belittle and bully others, this behaviour has to be challenged and stopped.

In the scenario, it is regrettable the insurer did not respond to indicate that the broker's behaviour was unacceptable. The scenario mentions that the broker had a history of unacceptable behaviour, so it is unlikely that he had just received a blistering earful from his client.

With respect to the adjuster, perhaps she had reached out to the broker, but the unacceptable behaviour continued.

What to do? First, the adjuster should remove herself from direct confrontation. It will usually only make things worse. Her manager should be willing to intervene, and if intervening with the broker is unsuccessful, speak to his manager.

While dealing with a bully, head-on is one approach; it is not necessarily the best one.

The goal is to find a peaceful resolution. While there is no shortage of examples on the Internet, be they real or simply urban legends, of ways to put an unpleasant person in his or her place, most of them probably do not work.

A manager's call to the opposing manager removes the disputing parties from the equation and allows for a rational discussion. Most managers will not tolerate abusive behaviour either coming from, or directed at, their employees.

In most cases, this should work, but in some cases, it may only inspire the individual to escalate the behaviour ("How dare you go over my head?", etc.). If this happens, a complaint to the regulator is fully in order.

In a situation a few years back, an email exchange involving a co-worker had gotten quite testy. The co-worker's position was correct, but the rhetoric was getting inflammatory.

While sympathizing with the co-work-

er's position, it was strongly suggested that she phone the individual she was dealing with and talk it through. In this case, the conciliatory approach worked very well. Failing that, however, escalating to management is the next step that should be taken.

THE FINAL WORD

Most claims professionals have experience working with a variety of personalities in difficult situations, and can relate to the stresses put on other insurance professionals by their clients, or other parties, during the claims process. In an ideal world, claims-handling involves everyone working together to ensure the best possible outcome.

When unprofessional behaviour enters the claims-handling process, lines of communication can be damaged, and negotiations stalled. This can make it difficult to determine if all parties are acting in good faith.

In the aforementioned scenario, the adjuster would do well by ensuring her response does not match the broker's in either tone or substance, and that she continues to communicate with the insurer and customer competently and professionally.

As a first step, reporting the situation to her manager can give the adjuster more insight and perspective. Here, the adjuster learns that this is not the first time the broker has behaved this way, and while it may be little consolation to her at the time, it can give her manager ample cause to escalate the issue with the broker's manager.

When unprofessional and inappropriate behaviour in the workplace is not adequately addressed, it is allowed to continue. By working with her manager, the adjuster can help ensure the broker's repeated behaviour is flagged with his higher-ups and resolved with the appropriate consequences. ≡