



LEAVE YOUR FORMER EMPLOYER BEHIND

By Bill Gaffney

Q: I am a salesperson who recently was let go from my job, through no fault of my own. All of a sudden they are refusing to pay me owed commissions and also threatening me if I go to work for a direct competitor. What are my legal rights and how do I get the money owed to me?

A: Resentments are like taking poison and expecting the other person to die.

Now, Bill that answer is a nice cliché but exactly what does that have to do with my question.

As a [recruiter](#) I receive this question or one similar several times a year. I am not an attorney, especially a labor/employment attorney so I do not feel qualified to address this question directly. I would suggest getting in touch with an employment attorney.

There is, however, another very important part of this situation that goes back to me original statement. I will start by relating a personal story.

I went to work for an acquaintance at one point in my career. He and I became close personal friends. After a number of years I left the company. When I left there were some commissions "owed" to me. My leaving process was about two months (No they didn't know I was leaving until I gave a week notice.) and I sought legal advice during the process because I knew there were some [financial](#) situations that would come up. The commissions were not paid. The owner felt he was in the right and did have some reasonable justifications (It was not trying to cheat me out of money) and I felt I was right. I also had justification, of course. My attorney suggested I should not pursue the matter in court because the cost and the commission were probably a wash plus the firm was struggling financially so there was a reasonable chance there would not be any money to pay me if I did win the case. All of this confirmed what I already thought and I dropped it after some agreements were reached. Unfortunately the friendship suffered. Today it is good again but probably will never be what it was. The bottom line is I "let go" of the situation and moved on. It was going to do absolutely no good to keep

replaying the tape and was going to distract from other things I needed to be doing.

Depending on the situation there are times when I will ask a candidate (recruiting) or client (coaching) if they have truly let go of the previous job and situation so they can move on. If they haven't typically that animosity and bitterness will come out in interviews. Plus, as I said above it personally will "eat you alive".

So the primary question I will ask you is "Have you let go of the prior situation or are you going to be mired in it for a while"? I certainly am not saying don't consider, or drop any [legal](#) remedies. I already stated that is not an area I feel qualified to address. But there is no amount of money or revenge that is worth the emotional havoc that you will go through.

Many times these things are based on "principle" and have little to do with the end gain. There is a saying I love, "Would I rather be right or rather be happy"? If you want to test out the validity of this question continue an argument with your spouse or significant other to the bitter end, as I am sure all of us have. We might eventually win the battle but we have lost the war.

The concept of leaving a job behind by working through the anger, resentments, bitterness, is very important and should not be overlooked if it is applicable. (There are many times people move on where this isn't the situation.) You should close that chapter of your life and move onto the next. After all I can't change what has happened. I can learn from it though. So I would suggest looking at your mistakes, what you could have done differently or better and how you might have avoided the situation. This **will** help you as you move forward.



Career Tips

About Author

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