

**I Hereby Resign**  
**By Steven L. Manchel**  
**(A book review by R. Max Wideman, FPMI)**

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***Introduction***

This pocket-sized book (6"x9") by author Steven Manchel is a handy source of critical information. For anyone in anyway related to the business of project management, it is well worth reading and keeping in mind for future reference. But, you may ask, is this really about how to run a project? Well, no, but it is certainly a part of living a life as a project manager or any project-related responsibility. And that is what this site is really all about.

Projects, by their definition, start, get done and finish. That is, in their simplest form, they represent the work required to convert an opportunity into an asset. But obviously, if you have a part in the project, then by the same token, your work also has a start and a finish. However, while the start of your employment may be the start of your engagement in the project, the conclusion of your part in the project does not necessarily mean the end of your employment – that depends on the terms of your engagement in the first place.

Either way, it is a harrowing time, for anyone working on projects. The job is done, so should I hop on the next ongoing project, wait for that project to get started, or if none, wait to be "laid off", dismissed, or resign to pick up another opportunity elsewhere. In my career, I've tried all options, but I must say, provided you do it right, the last option is the best. In my mind, there is nothing worse than sitting around in an office all day and just hoping that something will turn up, even if you are getting paid!

And so we welcome Steven's book to our bookshelves.

Steven notes that over the course of a typical working career, a person is likely to change job ten times or more, and most of those moves will involve going to the competition.<sup>1</sup> So, not all, but some of the moves may be through going to a different opportunity in a different part of the organization, if you are lucky. It is worth keeping this possibility in mind as a part of your "work relocation" strategy, even if not your employment strategy.

But beware of what Steven says about employment changes:<sup>2</sup>

"All such undertakings bring great legal, litigation and business risks that can result in large damage awards, injunction orders, and general business disruption and turmoil."

This does not necessarily apply to all areas of project management activity, unless you wish to leave in the middle of important work, but it certainly applies today where information technology (IT) is involved.

And what if you do not have any employment agreement, or a non-compete clause? Steven says that:<sup>3</sup>

"The absence of an employment agreement, or a non-competition or non-solicitation or non-recruitment clause, does not mean you are in the clear. On the contrary, in my experience, the most costly litigation has concerned unlawful *pre-resignation* misconduct."

The answer to this potential risk, according to Steven, is to insert a very important step that he calls "Transitioning" for which he prescribes the "Dos and don'ts". Hence, the purpose of the book is to show how such risks can be minimized. That's Part 1 of the book.

In Part 2 we learn the converse perspective: "How Companies Best Manage the Process of Hiring from the Competition.

### ***About the author***

Steven L. Manchel possesses the highest possible attorney rating and has extensive national experience in recruiting matters, broker-dealer litigation, securities litigation, and complex civil litigation. After graduating from Washington University School at Law, he clerked at the United States of Court of Appeals for the Eighth Circuit.<sup>4</sup> He has now had over 30 years of experience in the business.<sup>5</sup> For questions about the book, contact Cathy S. Lewis by email at [cslewispublicity@gmail.com](mailto:cslewispublicity@gmail.com) or visit [www.cslewispublicity.com](http://www.cslewispublicity.com). For legal assistance, visit <http://www.manchelbrennan.com>

### **Book Structure**

The contents of this book are set out in five chapters preceded by two introductory texts and a final Conclusion, as follows:

Introduction

Don Jenkins: Between Opportunities

Part One Chapters: HOW INDIVIDUALS PROPERLY TRANSITION

1. The "Dos and Don'ts" of Transitioning
  1. Don't Pre-Solicit Revenue Sources
  2. Books and Records
  3. Don't change your Work Habits
  4. Don't lie
2. The Art of Resigning
  1. Resignations occur on Friday
  2. Choosing the Right Person
  3. The letter of resignation
  4. What to say when you resign
3. I am Don Jenkins
  1. Read up before Deciding Whether to Resign
  2. Why are you Leaving and will you Succeed?
  3. Sorry, but you need a Lawyer Now

Part Two Chapters: HOW COMPANIES BEST MANAGE THE PROCESS  
OF HIRING FROM THE COMPETITION

4. Why Companies need a Transitioning Program and How to Implement It
  1. Transitioning Training starts at the Top and always stays Exactly the Same
  2. Good Transitioning Programs vet Candidates early on in the Hiring Process
  3. Good Transitioning Programs Monitor communications
  4. Transitioning Program Language
  5. Beware the "Wrinkles"
5. Now What?
  1. Communicating Post-Resignation to Revenue Sources and (Former) Subordinates

2. New Co-Workers
3. Watch your Competitors as they are Watching You

## CONCLUSION

The book has a total of 75 pages. It does not include a Glossary of Terms.

### What we liked

When it comes to thinking about changing employers, or employees for that matter, the idea of ***introducing a personal project*** under the banner of "Transitioning" is a good one. As Steven Manchel puts it:<sup>6</sup>

"Transitioning covers the time between when you decide you are interested in perhaps leaving your company, to when you knock on your manager's door to resign."

So, what should you do before actually resigning to ensure a smooth Transitioning and make sure to avoid any disruptive and costly litigation? Here follows Steven's list of considerations from the employee's perspective:<sup>7</sup>

1. What can and can't you discuss during the hiring process?
2. When should you tender your resignation?
3. What should you say when you quit?
4. To whom should you address if your boss is out for the day?
5. How should you compose your letter of resignation?
6. Can you go secretly into your office the night before resigning and take your personal stuff?
7. What information can you keep – and not keep?
8. Before resigning, can you tell your revenue sources that you will be leaving?
9. What if you are a manager or senior executive your self, should you determine who will come with you?
10. In short, how can you make sure that you prepare and resign in the right way?

Steven adds that at the heart of his book is how to manage both the law and the *psychology* of Transitioning. Good transitioning requires a disciplined focus on the governing law, as well as a real appreciation for the feelings, emotions, and optics, and often the fear and anger, that are a natural byproducts of Transitioning.<sup>8,9</sup>

Of course, if you are on the receiving end, that's a whole different ball game! In my case, being laid off in a period of severe economic slowdown, I was advised to go to a relevant lawyer to write to my ex-employer to unlock government mandate compensation. As it happened, I was able to find new employment within a few weeks – so the whole exercise proved to be quite profitable – and all without tears.

The Book's *Introduction* concludes with a case study: "Don Jenkins: Between Opportunities" giving examples of what to do and not to do. This case study provides the basis for further discussion and emphasis on "The Art of Resigning".<sup>10</sup>

Part 2 of the book is devoted to a discussion of "How companies Best Manage the Process of Hiring from the Competition". On the face of it, you may think that this part of the book is not really relevant. May be not now. However, as you gain experience and rise up the employment ladder, sooner or later you are quite likely to be presented with the challenge of staffing a big new project. If you are looking for well-qualified staff, then where will they come from? The answer is: "the competition", of course!

So, Chapters 4 and 5 are well worth keeping in mind.

The book is well written in a clear style, and the content makes for light easy reading. Having been there and done some of that, the book in my view offers sound and realistic advice that is well worth taking to heart. That is whether you are resigning, being laid off, or the unfortunate recipient of a letter of termination.

### **Downside**

From the perspective of project management, the business of *Transitioning* as described by Steven Manchel is clearly a project. It may even be a program if others are engaged in the process, such as a relocation to another part of the country or over seas. Either way, here is an opportunity to get properly organized with a business case to justify the change (Is it worth it? What are the options and relative merits?). In my case, a carefully researched comparison of the potential benefits of two very interesting opportunities was essential to reaching a decision on which one to accept.

If it's a "go" then you need a preliminary plan of priorities and later, a detailed schedule of execution. And so on, including a "Communications Plan": Who to tell and when (do the family agree?) And, as Steven reminds us, just as important is who not to tell.

Therefore, it would have been nice to see some graphics and perhaps comments representing the results of such planning. But, hey, lawyers generally do not "get into practicing" project management. But those who do *understand* the project management processes are a valuable asset and essential to our industry.

### **Summary**

Steven Manchel has unearthed a key element of employment, namely freedom to move amongst opportunities pursued by different employers, and this is key to a successful career in the project management field. Then, in effect, he has identified what amounts to any project manager's serious personal project with significant risks, if not handled properly. As he says:<sup>11</sup>

"What I seek to impart is how individuals who are transitioning, and how companies doing the hiring, understand not only the legal requirements imposed on *Transitioning*, but also the overall temperament of a well-run departure process. Look, any good attorney can read an employment agreement or a non-competition clause or handle a piece of litigation.

But how do you manage the risk and scope of litigation before there is a lawsuit, before you have even resigned? Moving to another company, especially to a competing company, is akin to divorce. Is it going to be a nasty divorce, or one that, under the circumstances, is manageable?"

There is no question that: "[Steven] is singularly capable of taking complex legal issues and packaging them in a way that the most inexperienced among us can understand and appreciate. He has given the readers an incredible user-friendly way to protect themselves and to lessen their stress."<sup>12</sup>

R. Max Wideman  
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<sup>1</sup> "I Hereby Resign" by *Steven L. Manchel*, Introduction, p1.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Back cover

<sup>5</sup> Ibid, p2

<sup>6</sup> Ibid.

<sup>7</sup> Ibid, abstracted from Steven's Introduction, on p3

<sup>8</sup> Ibid, p4

<sup>9</sup> Bear in mind that author Steven Manchel is writing from the perspective of the law in the US and US State Law of the day. The specifics will vary in different countries and from time to time.

<sup>10</sup> In Chapters 1 through 4, pp21 - 52.

<sup>11</sup> Ibid, p4

<sup>12</sup> Ibid, Quotation, *James B. Adelman, Senior Vice President, General Counsel, Commonwealth Financial Network* on the back page of the book.