



# Engaged Employees = Satisfied Court Customers?

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*The combination of employee happiness and motivation produces engagement—an important, if elusive, workplace attribute. Employee engagement has a significant impact on the public’s experience with the courts, and this article focuses on how to assess and improve your employees’ level of engagement to improve the court user experience.*

## Are Your Employees Happy, Motivated, Engaged, or None of the Above?

How do happiness and motivation impact how employees do their jobs? Appreciating the connection between customer satisfaction and employee engagement requires a more thorough understanding of the somewhat elusive concept of employee engagement.

Most employees can recollect a work environment where leaving their employment was a more significant work-day focus than the work at hand. Is providing a latte machine, access to a gym, or free lunch once a week likely to address the issues that lead employees to find other jobs? Many managers believe pay increases and free lattes will motivate.

But even after perks are given, employees are not necessarily motivated, let alone engaged. Lattes will not garner an employee's emotional connection to their coworkers or the goals of the organization. For organizations working toward engagement, gym passes, flex schedules, and even pay increases are management techniques akin to applying a Band-Aid to a broken arm. Simply put, pay raises only solve one management problem: complaints about pay.

In a 2013 Gallup study, author Susan Sorenson warned, "Gallup recently studied employees' engagement and well-being and found that indulging employees is no substitute for engaging them." Managers often mistakenly assume that happy employees are also engaged employees.

Because the community's positive experience with the court hinges on an engaged staff, it is critical for leaders to know what makes for engaged employees. Herzberg's Two-Factor Theory on workplace engagement differentiates between factors that cause job satisfaction and factors that cause job dissatisfaction.

According to his theory, an employer's ability to satisfy an employee's *motivation* (*internal*) needs, such as achievement, recognition, responsibility, advancement, and natural connection to the nature of the work itself, leads to job *satisfaction*. Addressing a second set of factors, *hygiene* (*external*) needs, such as pay, fringe benefits, and a friendly work environment, reduces job *dissatisfaction*. Internal and external factors are independent of each other. But taken together, they contribute to employee engagement (Mind Tools Content Team, n.d.).

While material benefits might help employers address external "hygiene factors," material benefits do not capture employee loyalty, connect personal interest and work, or inspire



*"If you're engaged, you know what's expected of you at work, you feel connected to people you work with, and you want to be there. You feel a part of something significant, so you're more likely to want to be part of a solution, to be part of a bigger tribe. All that has positive performance consequences for teams and organizations."*

*~ Jim Harter, Ph.D., Gallup's Chief Scientist of Workplace Management and Well-Being*



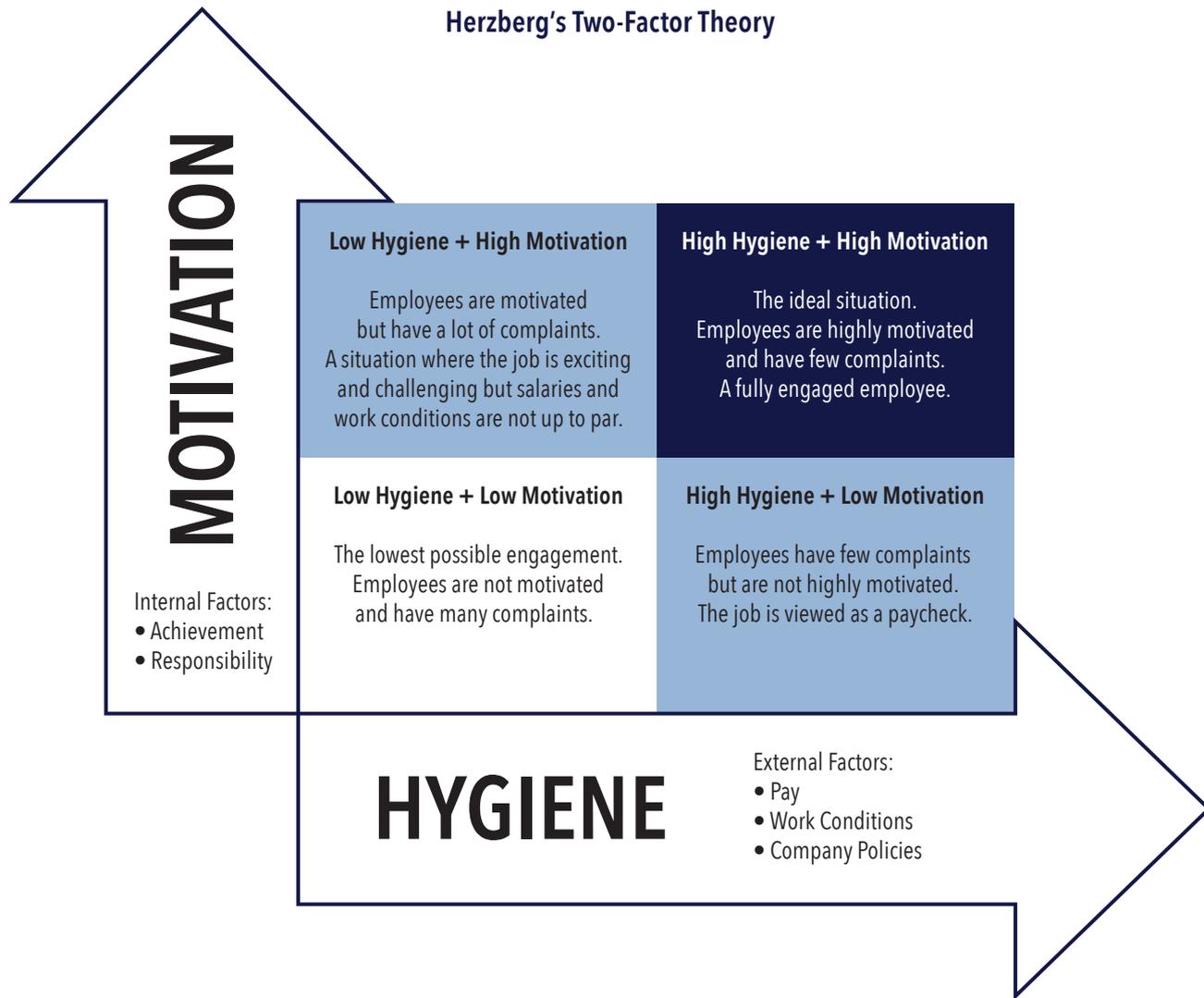
an employee to exert effort in their service, which are elements essential to inspiring engagement. In short, material benefits by themselves do not engage employees. Controlling external factors may produce happy but not necessarily motivated employees. Happy employees might find the workplace enjoyable or entertaining or be satisfied that the work provides the necessary means to make a living.

Many employee-satisfaction initiatives fail to adequately assess Herzberg's second critical factor: internal motivation. As a result, many courts may have staff who get the work done, but who also have a lot of complaints—and that will negatively impact the public's experience with the courts.

Addressing the nuances of motivation is far more complex than controlling external factors (what Herzberg dubbed "hygiene"). Court leaders must take the time to understand each employee's internal motivations and channel those motivations to benefit both the employee and the court's clients. For instance, an employee who is motivated to create positive relationships can be leveraged to improve team dynamics. An employee who invests personal time in serving youth through sports, Scouting, or other activities might be best assigned to work on juvenile dockets.

Employees reveal their engagement in subtle ways, such as arriving early, contributing constructive thoughts in open meetings, and volunteering for projects that contribute to the overall mission of the court.

There are varying degrees of engagement. Managers must talk to their employees, ask questions, and demonstrate care for engagement. According to Herzberg's Two-Factor Theory (Hartzell, n.d.), there are four possible combinations of motivations (internal motivations) and hygiene factors (external factors).



Think about your own experience. Have you had a job where you never looked at the clock, enjoyed the work environment, felt respected, and knew your efforts were needed to achieve organizational goals? Engaged employees know what is expected of them, are connected to the people with whom they work, and believe they are a part of something significant.

To help individual employees better understand their own workplace values and indicators of engagement, Kevin Kruse, author of *Employee Engagement for Everyone* (2013), created a self-assessment to assist employees with self-reflection on their own employment experience. Responses assess areas of individual engagement. Through self-reflection and understanding of their own engagement, managers can better understand employee engagement. A quick three-minute “pulse” survey is available online at <http://www.kevinkruse.com/profile/>. A variety of reputable organizations offer ongoing subscription-based pulse surveys, or managers can design their own using Survey Monkey’s Employee Engagement Survey Template (<http://tinyurl.com/y428rdo3>).

### Impacting Engagement

The Society for Human Resources Management (SHRM) conducted an extensive survey of American workers, seeking to identify where the largest impact can be made to engagement (HR and Employee Engagement Community, 2016). The findings are extremely enlightening and actionable.

Ninety-six percent of American workers reported that “being able to apply personal interests in the workplace would make them happier in general.”

Additionally, 68 percent of employees reported they would be willing to take a cut in pay to work at a job that would better allow them to apply personal interests in the workplace.

These are great examples of “motivation” factors as defined by Herzberg’s theory, which employees naturally bring to the workplace. Effective court leaders use those factors to benefit both the court and the employee.

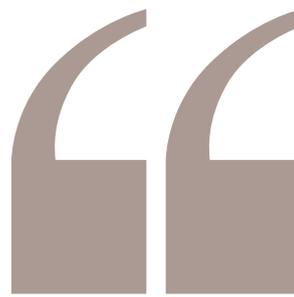


Hiring employees who have a personal interest connected to court business is beneficial.

SHRM identifies three areas for managers to consider:

- *conditions for engagement*
- *engagement opinions*
- *employee behaviors*

Once again, employees *rank* personal interests/meaningfulness of work among the top three drivers of conditions necessary for engagement. SHRM's new data also demonstrate that if managers focus on hiring employees who have personal interests that connect to the work, engagement is easier to achieve. For courts, individuals with a personal interest in serving the community, a desire to provide service to vulnerable populations, etc., would be well suited to the work of the courts.



*96% of working Americans agree that being able to apply personal interests in their career would make them happier.*



According to Herzberg's theory, these connections are "motivators." Therefore, managers must be adept at identifying the interests of candidates and employees and recognizing how those interests can be leveraged for the betterment of the court. Managers must also be good coaches to help staff make the connection between personal interests and work.

It is worth noting that courts must also be careful to ensure employees' personal interests are compatible with the core principles of courts, maintaining a neutral and unbiased environment. Leaders must draw clear boundaries with employees that support the court's core principles.

Knowing the difference between happy or motivated employees and engaged employees is critical to improving the public's experience with the courts. Concrete data are necessary to quantify both employee engagement and court user perceptions.



## Assessing Employee Engagement and Customer Satisfaction

A one-time assessment of engagement can be useful for leaders to better understand how to manage resources, but managers must continuously assess engagement. The National Center for State Courts has developed a set of surveys called *CourTools* that assess a variety of court processes ([www.courtools.org](http://www.courtools.org)).

*CourTools* Trial Court Performance Measurement #9, Employee Satisfaction Survey, assesses employee engagement. Among other important work environment indicators, *CourTools* explores whether employees have enough challenge in their work assignments, are acknowledged by management for their work, feel respected, and understand the connection between their work and the goals of the organization.

# CourTools

**Access and Fairness Survey**

**Section I: Access to the Court**  
Circle the Number.

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Not Applicable
	1	2	3	4	5	n/a
1. Finding the courthouse was easy.	1	2	3	4	5	n/a
2. The forms I needed were clear and easy to understand.	1	2	3	4	5	n/a
3. I felt safe in the courthouse.	1	2	3	4	5	n/a
4. The court makes reasonable efforts to remove physical and language barriers to service.	1	2	3	4	5	n/a
5. I was able to get my court business done in a reasonable amount of time.	1	2	3	4	5	n/a
6. Court staff paid attention to my needs.	1	2	3	4	5	n/a
7. I was treated with courtesy and respect.	1	2	3	4	5	n/a
8. I easily found the courtroom or office I needed.	1	2	3	4	5	n/a
9. The court's Web site was useful.	1	2	3	4	5	n/a
10. The court's hours of operation made it easy for me to do my business.	1	2	3	4	5	n/a

If you are a party to a legal matter and appeared before a judicial officer today, complete questions 11-15:

**Section II: Fairness**

11. The way my case was handled was fair.	1	2	3	4	5	n/a
12. The judge listened to my side of the story before he or she made a decision.	1	2	3	4	5	n/a
13. The judge had the information necessary to make good decisions about my case.	1	2	3	4	5	n/a
14. I was treated the same as everyone else.	1	2	3	4	5	n/a
15. As I leave the court, I know what to do next about my case.	1	2	3	4	5	n/a

**Section III: Background Information**  
(Check all that apply)

What did you do at the court today?	What type of case brought you to the courthouse today?	How do you identify yourself?
<input type="checkbox"/> Search court records/obtain documents	<input type="checkbox"/> Traffic	<input type="checkbox"/> American Indian or Alaska Native
<input type="checkbox"/> File papers	<input type="checkbox"/> Criminal	<input type="checkbox"/> Asian
<input type="checkbox"/> Make a payment	<input type="checkbox"/> Civil matter	<input type="checkbox"/> Black or African American
<input type="checkbox"/> Get information	<input type="checkbox"/> Divorce, child custody or support	<input type="checkbox"/> Hispanic or Latino
<input type="checkbox"/> Appear as a witness	<input type="checkbox"/> Juvenile matter	<input type="checkbox"/> Native Hawaiian or Other Pacific Islander
<input type="checkbox"/> Attorney representing a client	<input type="checkbox"/> Probate	<input type="checkbox"/> White
<input type="checkbox"/> Jury duty	<input type="checkbox"/> Small Claims	<input type="checkbox"/> Mixed Race
<input type="checkbox"/> Attend a hearing or trial	<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Law enforcement/probation/social services staff		
<input type="checkbox"/> Party to a legal matter		

How often are you typically in this courthouse?  
(Choose the closest estimate)

First time in this courthouse  
 Once a year or less  
 Several times a year  
 Regularly

What is your gender?  
 Male  
 Female

**Employee Satisfaction Survey**

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
	1	2	3	4	5
1. My work unit looks for ways to improve processes and procedures.	1	2	3	4	5
2. I am kept informed about matters that affect me in my workplace.	1	2	3	4	5
3. As I gain experience, I am given responsibility for new and exciting challenges at work.	1	2	3	4	5
4. The court is respected in the community.	1	2	3	4	5
5. The people I work with can be relied upon when I need help.	1	2	3	4	5
6. I have an opportunity to develop my own special abilities.	1	2	3	4	5
7. I understand how my job contributes to the overall mission of the court.	1	2	3	4	5
8. I am treated with respect.	1	2	3	4	5
9. When I do my job well, I am likely to be recognized and thanked by my supervisor.	1	2	3	4	5
10. My working conditions and environment enable me to do my job well.	1	2	3	4	5
11. I feel valued by my supervisor based on my knowledge and contribution to my department, unit, or division.	1	2	3	4	5
12. My court's leaders communicate important information to me in a timely manner.	1	2	3	4	5
13. I enjoy coming to work.	1	2	3	4	5
14. The people I work with take a personal interest in me.	1	2	3	4	5
15. Managers and supervisors follow up on employee suggestions for improvements in services and work processes.	1	2	3	4	5
16. My meetings with my supervisor are useful and meaningful.	1	2	3	4	5
17. When appropriate, I am encouraged to use my own judgment in getting the job done.	1	2	3	4	5
18. I have the resources (materials, equipment, supplies, etc.) necessary to do my job well.	1	2	3	4	5
19. On my job, I know exactly what is expected of me.	1	2	3	4	5
20. I am proud that I work in the court.	1	2	3	4	5
21. The court uses my time and talent well.	1	2	3	4	5
22. I get the training I need to do the job well.	1	2	3	4	5
23. I know what it means for me to be successful on the job.	1	2	3	4	5
24. My supervisor is available when I have questions or need help.	1	2	3	4	5
25. Communication within my division is good.	1	2	3	4	5
26. My co-workers work well together.	1	2	3	4	5
27. I have opportunities to express my opinion about how things are done in my division.	1	2	3	4	5
28. In the last 6 months, a supervisor/manager has talked with me about my performance/career development.	1	2	3	4	5
29. The court and its leaders are dedicated to continuous improvement.	1	2	3	4	5
30. I am treated with respect by the public.	1	2	3	4	5
<b>31. Background Information</b>					
a. In which Court Division do you work? (check one)					
<input type="checkbox"/> District 1 <input type="checkbox"/> District 2 <input type="checkbox"/> District 3 <input type="checkbox"/> 1-3 years <input type="checkbox"/> 3-5 years <input type="checkbox"/> 5-10 years <input type="checkbox"/> > 10 years					
b. How long have you been employed by the Court:					
<input type="checkbox"/> < 1 year <input type="checkbox"/> 1-5 years <input type="checkbox"/> 6-10 years <input type="checkbox"/> > 20 years					
c. I am planning on working for the Court another:					
<input type="checkbox"/> 1-3 years <input type="checkbox"/> 3-5 years <input type="checkbox"/> 6-10 years <input type="checkbox"/> > 20 years					

*CourTools* Trial Court Performance Measurement #1, Access and Fairness, provides the court with necessary insight into the court customer experience. Court leaders can use the survey to gain information about court users' perceptions of the service provided by court staff and the fairness of the process, as well as the way they were treated by judicial officers. Gathering and reviewing this information allows for targeted improvement.

Court leaders should not expect that court users are only satisfied if they prevail in their case. Statistics show that positive opinions of their court experience are shaped more by court users' perceptions about how they were treated than whether they won or lost their case (see <https://tinyurl.com/y355v6z5>).

Shifting the focus from “winning” or “losing” to “service” places new responsibility on court leaders. Assessing court user perceptions can help court managers determine if those who provide services have the information, tools, training, resources, and proper discretion to do their best work every day.

Research indicates private-sector employers have found a direct correlation between employee engagement and customer satisfaction (Harter, 2018). A recent Gallup story suggests a positive correlation between “employee engagement, productivity, retention, safety, and profitability in high-performance organizations.”

While the courts do not measure success through profits, courts do have accountability.



*[Business units] in the top quartile of [employee] engagement realize substantially better customer engagement, higher productivity, better retention, fewer accidents, and 21% higher profitability.  
~ Harter, 2018*



They serve the public and must obtain support from funding bodies. Public trust and confidence are placed at risk when the court's workforce lacks engagement, resulting in failure to provide the quality of service the public expects.

To establish a direct correlation between employee satisfaction and court user satisfaction, three elements must exist:

1. *Employees who respond to the employee-satisfaction survey must be the employees who provided service during the administration of access and fairness surveys.*
2. *Surveys should be administered at an unadvertised time; knowing an access and fairness survey is being administered can skew results.*
3. *Organizations must ask the same questions of employees and customers for each survey to track progress over time.*

Many employers are now seeking feedback from employees and customers through what are referred to as “pulse surveys.” A pulse survey consists of one to five questions and should take the respondent less than one minute to answer. Frequent pulse surveys give court leaders a consistent source of feedback throughout the year to keep a “pulse” on perceptions. Perceptions are often reality! Conducting surveys can be a challenge for court managers. SHRM provides an overview of employee engagement platforms. Using independent resources to conduct the studies can reduce the time required of court managers to gather that information.

## What's Next?

Court leaders must maintain an accurate picture of the perceptions of employees and customers alike. Engaging employees and meeting customer expectations should rank as a top priority for court leaders.

Historically, most court leaders may not have considered the benefit of engaging human resources when working to improve client satisfaction. The National Center for State Courts and the Conference of State Court Administrators have partnered for the last four years to create a Human Resources Summit, an opportunity for court human resources staff throughout the nation and territories to gather for learning and collaboration. The HR Summit provides education on cutting-edge employment practices and an opportunity to share ideas and resources that creates a network of court HR professionals. Employee engagement has been a topic of discussion at the previous three HR Summits and will be again in 2019. The critical impact of an engaged workforce has significant ramifications for court organizations; leaders, managers, and HR must all be engaged in helping improve employee engagement to achieve customer satisfaction goals.



**"You know why I'm sure the sales chart will be great? Because this is the morale chart."**

The *CourTools* Employee Satisfaction question #8 asks employees, "I am treated with respect." *CourTools* Access and Fairness asks court users, "I was treated with courtesy and respect." Is there any doubt that the way court staff are treated will impact the way they treat the public?

Courts that are ready to conduct a full-fledged study on the connection between customer satisfaction and employee engagement will reap many benefits and can use the information in the education and coaching of court leaders for many years. At a minimum, a study between "being treated with respect" by both employees and customers is worthy of closer inspection.



*Engaging employees and meeting customer expectations should rank as a top priority for court leaders.*



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