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What Does Ranch Dressing Have to Do with Employment Law?

Wait, did you read that right? "What Does Ranch Dressing Have to Do with Employment Law"? Well, quite a lot actually, as long as we're talking about that most famous type of ranch dressing, the brand that introduced most of America to ranch dressing: Hidden Valley Ranch dressing.

The story of HVR ranch is the story of how a condiment we all take for granted almost never made it to the supermarket shelves. The dressing was the creation of the proprietors of a dude ranch resort, the Hidden Valley Ranch. The guests adored the dressing so much that, ultimately, the proprietors started a successful mail order business, which came to the attention of Clorox Company, which acquired Hidden Valley Ranch in 1972 for $8 million.

That investment was almost money down the drain for Clorox, whose food scientists couldn't figure out how to replicate the dressing in a shelf-stable way. They worked on it for nearly a decade, but just couldn't come close to replicating the original Hidden Valley Ranch taste.

Although the product had failed every comparative taste test, Clorox released its much-more-acidic version of HVR ranch on supermarket shelves nationwide anyway. As you already know, it was a resounding success.

Why did such a poor simulation of the original succeed? In the words of Malcolm Gladwell: "Because consumers had never tasted real Hidden Valley Ranch dressing, and as a result had no way of knowing that what they were eating was inferior to the original."

Here's the connection to employment law. Whenever I open a new matter, one of the first steps I take is to look over the employee manual, the complaining employee's personnel file, any document the complaining employee specifically references, and other communications or documents with obvious relevance to the allegations. At that point, there will typically be a few points in the timeline where these formal and obvious documentation sources sent in the first sweep don't fully describe what was going on. And, inevitably, as I chase those nuggets down, I can't help but visualize how those blanks might be filled in. I'm often not acting alone; at least half the time my contact in Human Resources is *sure* that we never would have gotten from Point A to Point C without stopping by Point B first. Even though it's not real, this best-case scenario becomes the original Hidden Valley Ranch dressing: a perhaps impossible standard against which reality will be judged.

For instance, let's say there was a termination for poor productivity, and the termination document itself is both really well written and supported with data, but there's no prior discipline in the employee's file. Well, my optimistic assumption is going to be that the supervisor ran those same productivity reports on other days and discussed any shortcomings with the employee at that time, but just didn't document it on the employer's disciplinary forms. I'm even going to allow myself

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to dream that the supervisor made some notation, somewhere, about these still-hypothetical-counselings, and maybe even saved the data reports he ran at the time.

In reality, none of those things may have happened: there were no previous counselings or correction, and the supervisor never even reviewed productivity data until the date he decided to terminate the now-complaining employee. Just like the shelf-stable HVR ranch, the reality fell short of the ideal.

The great thing about employment law, though, is that the law sets a standard that isn't based on humans acting in an ideal manner every single hour of every single day. Under most employment statutes, the complaining former employee would have to prove not that the process was unfair or unexpected, but that the actual decision was motivated by some illegal reason.

In fact, this is one of the philosophical foundations for employment-at-will as a general rule: *my* ideal process or the types of offenses *I* would find appropriate for immediate termination will be different from the standards that a judge or members of a jury would each apply.

Finally, I seldom complete the process of filling in all the blanks without finding out that there was a compelling, lawful reason for the employer's decision that, much like the tangier version of HVR ranch, more than satisfies the standard it needs to meet.

Sources: Malcolm Gladwell, *The Bakeoff*, THE NEW YORKER (Aug. 29, 2005); Stephanie Gravelese, *One Nation Under Ranch – Why America's Favorite Condiment Keeps Climbing*, *FORBES.COM* (Mar. 3, 2026).

If you have any questions or would like additional information, please contact Whitney Brown at 205-323-9274 or wbrown@lmvtlaw.com.

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