

# Improving the Workplace Environment One Misunderstanding at a Time



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## Today's Goal:

To ensure everyone understands  
what it means to appropriately  
interact in the workplace.



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## Our Challenge:

An increasingly diverse labor force  
with decreasing problem solving  
and conflict resolution skills.



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### Wedge of Misunderstanding

When wedges come between employees it can be the beginning of many misunderstandings and an abundance of stress.



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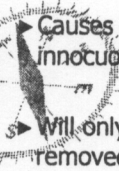
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### Hypersensitivity Radar

► Appears whenever you around another employee with whom you have a gap in the relationship caused by wedge.

► Causes you to take seemingly neutral or innocuous statements the wrong way.

► Will only disappear when the wedge is removed.



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### How do we bridge the gaps caused by these wedges?

- Problems solving skills
- Conflict resolution skills



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Some wedges are the result of intentional bad conduct. How would you handle this situation?



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The wedge is in, the gap is real, how do you fix it?

(Small group discussion)



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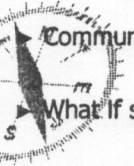
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### Communication is the Key

- ▶ Say something!
- ▶ Send a clear message.
- ▶ Communication is mostly nonverbal.
- ▶ What if someone is obnoxious?



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## Media Influence on Workplaces

- ▶ Television
- ▶ Radio



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We surrounded by humor in the media that pokes fun at the subjects of sex and other protected categories.



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What message is the media sending us about training?



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### Who is right?

- ▶ The Hypersensitive Employee
- ▶ The Easy Going Employee
- ▶ The Mega Professional Employee
- ▶ The Basic Normal Employee



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### Answer

They all are.



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### Cultural Identity Exercise

(Small Group Exercise)



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**There is a Need for the Law**  
(EEOC Sexual Harassment Statistics)



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**Sexual Harassment**

▶ Both federal and California law prohibit sexual harassment in the workplace.

▶ Sexual harassment is commonly categorized into one of the following:

▪ Hostile work environment

▪ Quid Pro Quo



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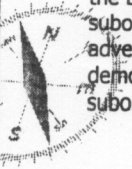
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**Sexual Harassment**

**Quid pro quo.** When submission to sexual advances or conduct is made a condition of employment. Usually occurs when a supervisor makes a request for sexual favors, the behavior/request is rejected by the subordinate, and the rejection results in an adverse tangible employment action (ex., demotion, change in duties) towards the subordinate.



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## Illegal Hostile Work Environment



- ▶ Offensive conduct to a reasonable person
- ▶ Sexual in nature or based on sex
- ▶ Unwelcome
- ▶ Sufficiently severe or pervasive to alter the conditions of employment

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## Sexual Harassment

- ▶ Verbal, physical, or visual conduct of a sexual nature



- ▶ To violate the law, conduct must be unwelcome, offensive, and severe or pervasive

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## Examples of Inappropriate Verbal Conduct

- ▶ Inappropriate verbal conduct may consist of (but is not limited to):
  - Demands for sexual favors
  - Sexually-graphic statements
  - Demeaning jokes of a sexual nature
  - The description of an employee's anatomy or body in direct sexual or sexually-suggestive terms
  - Dirty jokes



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## Examples of Inappropriate Physical Conduct

► Inappropriate physical conduct may consist of (but is not limited to):

- Touching
- Grabbing, patting, or touching a body part, particularly in an area that cannot be explained as inadvertent
- Kissing/hugging
- Encroaching upon an individual's physical space
- Blocking an individual's movement so he or she must brush up against someone else to pass



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## Examples of Inappropriate Visual Conduct

► Inappropriate visual conduct may consist of (but is not limited to):

- Pornography
- Sexually-suggestive screen savers on computers
- Cartoons or pictures that depict either sex in a demeaning way
- Other individuals engaged in sexual behavior, even of a non-graphic nature



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## Who can create sexual harassment?

- Co-workers
- Managers/Supervisors
- City Council / Elected Officials
- Appointed Officials
- Temporary Workers
- Vendors
- Members of the Public



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### What does it look like?

- ▶ Sexual harassment most commonly occurs by way of a Man Harassing a Woman. However, it is also unlawful for:
  - ▶ Men to harass other men
  - ▶ Women to harass men
  - ▶ Women to harass other women



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### What Types of Conduct Can Create Sexual Harassment?

- ▶ Sexual conduct that is welcome is not sexual harassment.
- ▶ To constitute sexual harassment, the conduct must be unwelcome.



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### What is Unwelcome?

- ▶ Sexual conduct could be considered unwelcome if:
  - ▶ It was rejected initially
  - ▶ It was initially accepted but later rejected
  - ▶ It was accepted after coercion



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### What types of conduct are we talking about?

- ▶ Jokes
- ▶ Cartoons
- ▶ Flirting
- ▶ Gestures
- ▶ Leering
- ▶ Propositions
- ▶ Conversation
- ▶ Email Messages



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### Hostile Work Environment

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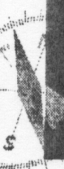
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### This Never Helps Anyone



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## Discrimination

Federal and State Law Prohibit  
Discrimination Based on  
Protected Classifications.



- Without reading ahead, how many classifications can you name?

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## Discrimination

Protected Classifications Include:



- |                    |                        |
|--------------------|------------------------|
| Age                | Ancestry               |
| Color              | Religious Creed        |
| Disability         | Pregnancy Disability   |
| Marital Status     | Medical Condition      |
| National Origin    | Race                   |
| Sexual Orientation | Sex/Gender/Transgender |

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## Discrimination

Discrimination Laws Prohibit the Wrongful Denial  
of Employment Opportunities Including the  
opportunity to:



- Be hired
- Receive Benefits
- Keep a Job
- Receive Training
- Receive a Promotion/Job Assignment
- Receive Compensation
- Receive the Same Conditions/Opportunities as Others

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## Discrimination

### Discrimination Can Include:

- Harassment on the Basis of a Protected Classification
- Intentional Conduct that Adversely Impacts Protected Individuals or Classes
- Conduct that Appears Neutral or Unintentional but has an Adverse Impact
- Retaliation
- Failure to Accommodate Disabilities/Religious Beliefs



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## What if I . . .

- ▶ Speak in a fake foreign accent?
- ▶ Feign being an "emotional woman" when I speak?
- ▶ Feign being a "thoughtless man" when I speak?



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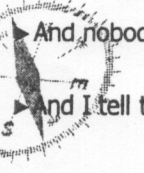
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## What if I say it or do it . . .

- ▶ When "they" are not around?
- ▶ But do not mean anything by it?
- ▶ And nobody objects?
- ▶ And I tell them they can reciprocate?



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### What do I do if someone offends me?

- ▶ Talk to them.
- ▶ Talk to your supervisor.
- ▶ Talk to HR/Personnel.



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### Talk to The Offender

- ▶ I am not sure what you meant when you \_\_\_\_\_ [said/did/wrote], but it offended me and I thought you should know.



I know we have been coworkers for a while and I have never said anything before, but it really bothers me when . . .

- ▶ Please stop because I find that offensive.

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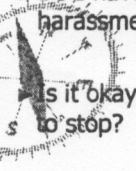
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### Frequently Asked Questions

- ▶ What if the conduct occurs away from work or during non-work hours?

- ▶ Do I have a duty to report sexual harassment or discrimination?



- ▶ Is it okay to talk to the person and ask them to stop?

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Can we change our culture  
if we feel we need to?



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It all starts with the  
maxims.



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What is a *maxim*?

▶ A succinct formulation of a fundamental  
principle

▶ General truth

▶ Rule of conduct



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Why are *maxims* important?

Maxims should form the foundation for the way people treat each other in the workplace. They should define the organization's culture.



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### Maxim Risk Management™

- ▶ Walk the talk
- ▶ Encourage authentic participation
- ▶ Champion the cause
- ▶ Encourage accountability



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Thank You.



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