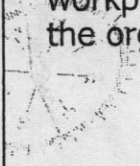


Why are *maxims* important?

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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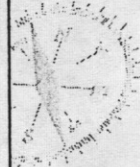
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Thank You.



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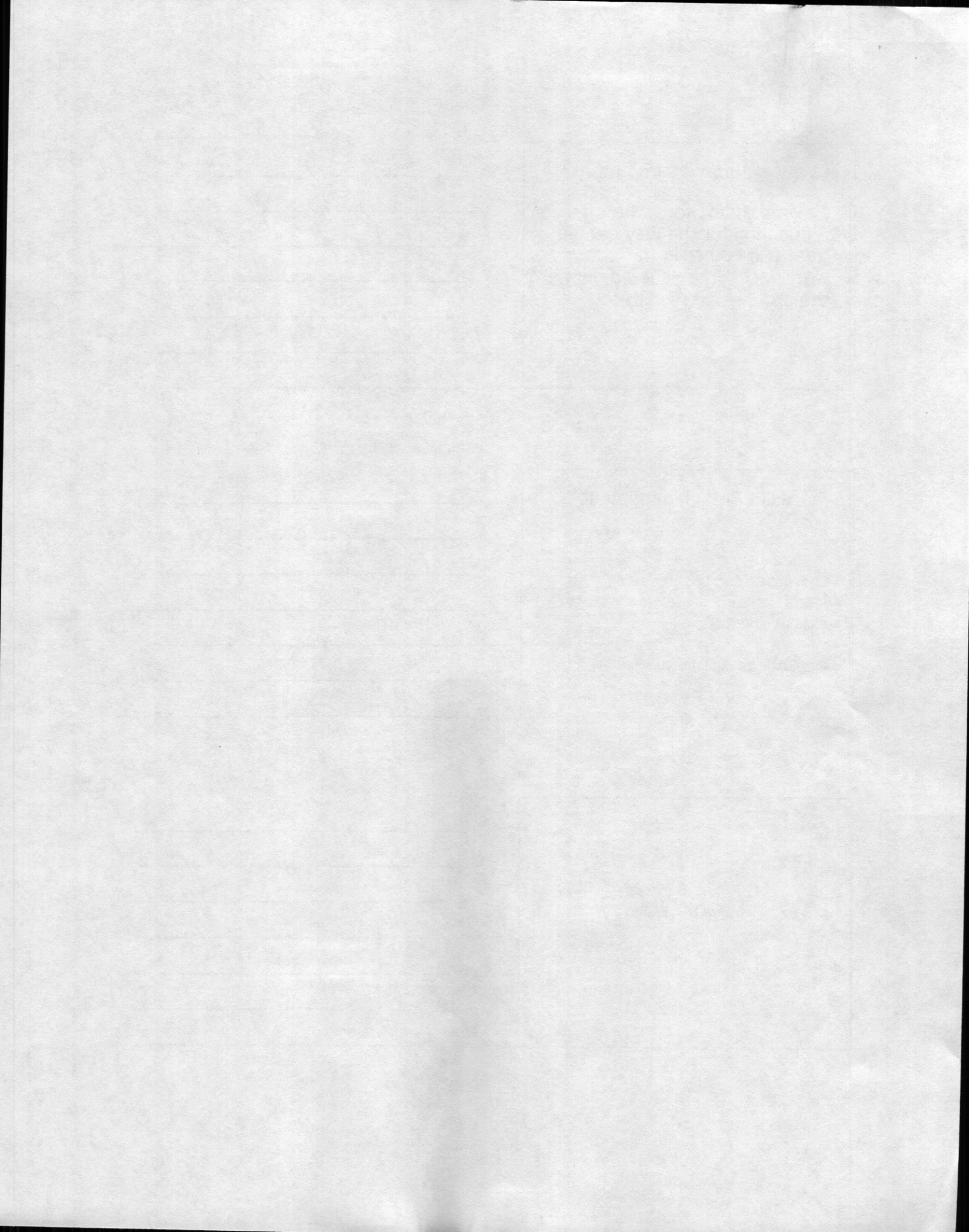
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### What do I do if someone offends me?

- ▶ 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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### 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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

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It all starts with the  
maxims.



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

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What is a *maxim*?

- ▶ A succinct formulation of a fundamental principle
- ▶ General truth
- ▶ Rule of conduct



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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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## 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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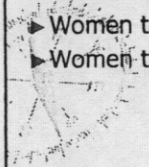
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### What does it look like?

- ▶ 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

- ▶ 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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### This Never Helps Anyone



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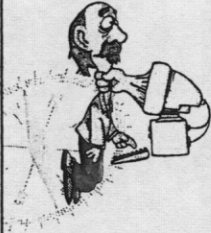
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## Illegal Hostile Work Environment



- ▶ 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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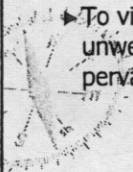
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## Sexual Harassment

- ▶ 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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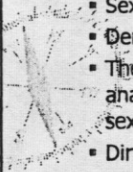
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## Examples of Inappropriate Verbal Conduct

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



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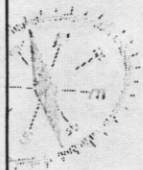
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The wedge is in, the gap is real, how do you fix it?

(Small group discussion)



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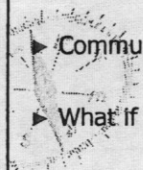
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### Communication is the Key

- ▶ 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
- ▶ Internet
- ▶ PodCast

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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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# Improving the Workplace Environment One Misunderstanding at a Time

San Joaquin County MVCD  
June 12, 2008

Gerry Preciado  
Principal  
Employment Practice Consultant  
Bickmore Risk Services & Consulting  
(800) 841-4281 Ext. 1139  
gpreciado@brrisk.com



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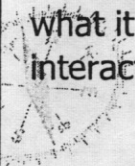
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## Today's Goal:

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



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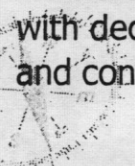
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## Our Challenge:

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



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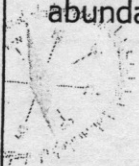
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## Wedge of Misunderstanding

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



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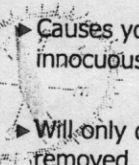
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## Hypersensitivity Radar

▶ 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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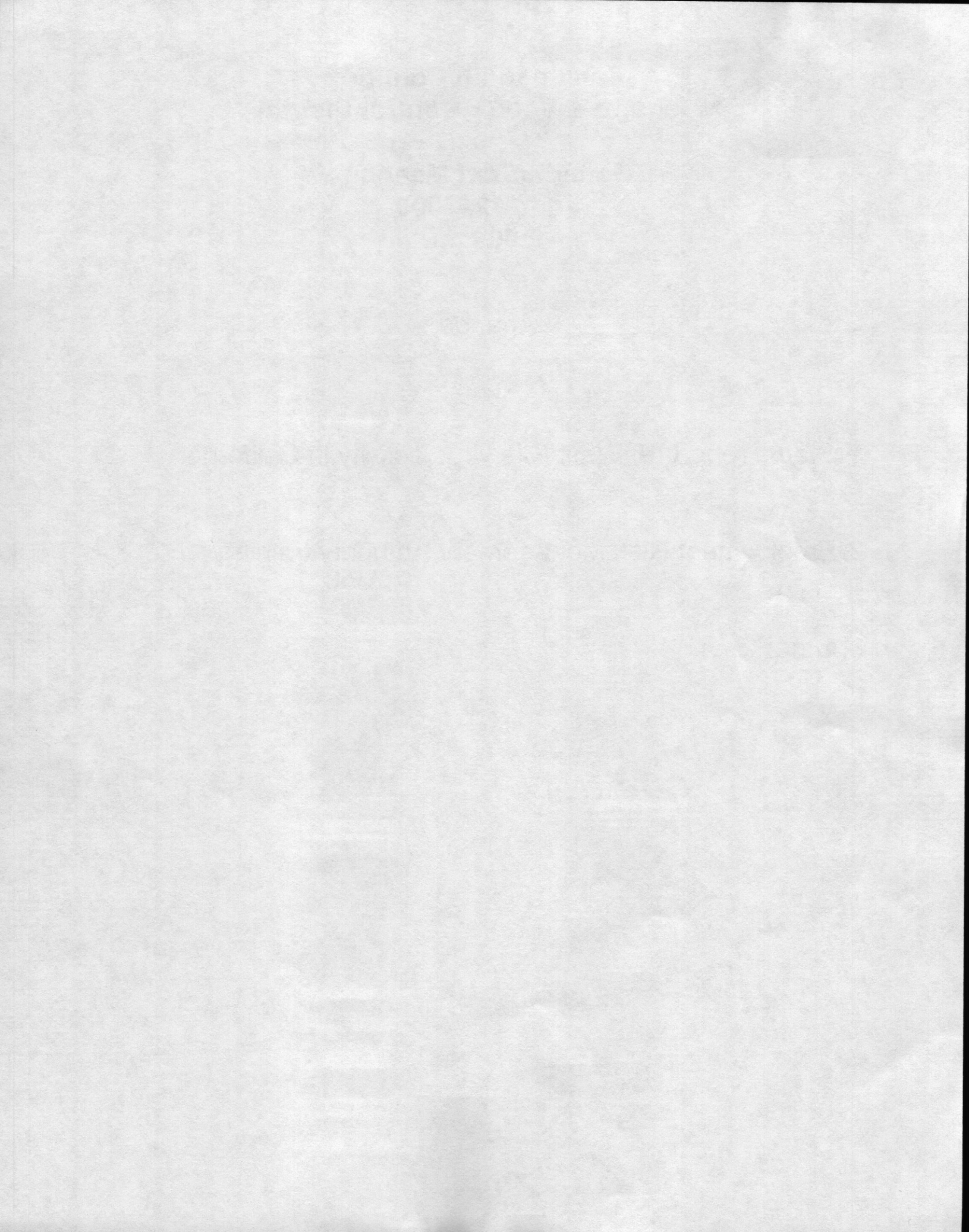


**San Joaquin County  
Mosquito & Vector Control District**

**General Staff Meeting  
June 12, 2008  
8:00 a.m.**

**Agenda**

1. Status report re: West Nile virus activity in California
2. Employment Risk Management Authority training
3. Other



GENERAL MEETING

6/12/08

	Print Name	Signature
Aksland, Carol	Carol Aksland	Carol Aksland
Anderson, Tiffany	Tiffany Anderson	Tiffany Anderson
Andres, Scott	Scott Andres	Scott Andres
Azevedo, Steve	Steve Azevedo	Steve Azevedo
Bearden, Stacy	Stacy Bearden	Stacy Bearden
Bennett, Morgan	Morgan Bennett	Morgan Bennett
Black, Deanna	Deanna Black	Deanna Black
Capuccini, Richard	Richard Capuccini	Richard Capuccini
Corrales, Michael	Michael Corrales	Michael Corrales
Devencenzi, Aaron	Aaron Devencenzi	Aaron Devencenzi
Duke, Steve	STEVE DUKE	Steve Duke
Durham, Bob	Bob Durham	B. Durham
Edwards, Greg	Greg Edwards	Greg Edwards
Esau, Janine	Janine Esau	Janine Esau
Fraser, Larry	LARRY FRASER	Larry Fraser
Heine, Brian	BRIAN HEINE	Brian Heine
Hiers, Chris	Chris Hiers	Chris Hiers
Hopkins, Norman	Norm Hopkins	Norm Hopkins
Iverson, Mary	MARY IVERSON	Mary Iverson
Keith, Dennis	DENNIS KEITH	Dennis Keith
Leipelt, Steve	STEVE LEIPELT	Steve Leipelt
Lucchesi, Ed	ED LUCCHESI	Ed Lucchesi
Mancuso, Ernst	ERNEST MANCUSO	Ernst Mancuso
Meidinger, Don	Don Meidinger	Don Meidinger
Mortenson, Fred	FRED MORTENSON	Fred Mortenson
Nicholas, Emily	Emily Nicholas	Emily Nicholas
Nienhuis, Keith	KEITH NIENHUIS	Keith Nienhuis
Nolin, Larry	Nolin, Larry	Larry Nolin
Pfeifer, Roy	Roy O. PFEIFER	Roy O. Pfeifer
Sarale, Joseph	Joseph SARALE	Joseph Sarale
Sheffield, James	James Sheffield	James Sheffield
Smith, David	DAVID SMITH	David Smith
Stroh, John	John Stroh	John Stroh
Thompson, Dave	DVang	DVang
Vignolo, John	JOHN VIGNOLO	John Vignolo

