Creating a Respectful Workplace

Prof. Jamie H. Conrad
Charles M. Snipes School of Business & Economics
Lenoir-Rhyne University
Training Session Goals

• Define “Respectful Workplace”
• Develop an understanding of workplace discrimination and harassment
• Understand what workplace harassment is and what it is not
• Determine ways to ensure a respectful workplace for everyone
Respectful Workplace

- All individuals are acknowledged and respected
- Each individual’s concerns are heard
- Values and viewpoints are not imposed on others, but are respected by all
- Discrimination or differential treatment of others is not tolerated by anyone
Can you Think Outside the Box?
What is discrimination?

- The process by which two stimuli differing in some aspect are responded to differently (webster.com)
- Prejudiced or prejudicial outlook, action, or treatment (webster.com)
- “Adverse work treatment...” (about.com)
Discrimination in the Workplace

FY 2017 EEOC Charge Receipts in NC:
3,752–Total Charges

- Race – 1,447
- Sex – 1,034
- National Origin – 262
- Religion – 149
- Color – 114
- Retaliation – 1,854
- Age – 751
- Disability – 1,210
- Equal Pay Act – 52
- GINA – 9
Harassment Defined

- A form of discrimination that violates Title VII of the Civil Rights Act of 1964, the ADA, the ADEA, or GINA
- Unwelcome verbal or physical conduct based on a person’s race, color, religion, sex or gender, national origin, age (40 and over), disability (mental or physical), or genetic information
- Severe, pervasive and persistent conduct that unreasonably interferes with an employee’s work performance or creates an intimidating, hostile or offensive work environment
- An occurrence where an employee’s status or benefits are directly affected by the harassing conduct of a manager or person of authority
- Adverse employment actions (retaliation) against employees who complained of harassment or discrimination or who participate in a complaint procedure

Source: SHRM
Is it Harassment?

- Harassment - Illegal form of discrimination that violates Title VII of the Civil Rights Act of 1964, the ADA, the ADEA, or GINA

- Workplace Bullying - Inappropriate conduct or behavior which is not illegal but is definitely unacceptable in the workplace
Workplace Bullying

• Social bantering or teasing
• Verbal abuse and profanity, humiliation, constant criticism
• Gossip
• Stealing the credit for work performed by the victim
• Personal and professional denigration
• Overt threats
• Assignment of an unrealistic workloads
• Aggressive e-mails or notes
• Professional exclusion or isolation
• Sabotage of career and financial status
Harassment in the Workplace

- Harassment is NOT just Sexual Harassment
  - Race
  - Color
  - Religion
  - National Origin
  - Disability
Laws that Prohibit and Provide Protection against Harassment

• Title VII of the Civil Rights Act
• Age Discrimination of Employment Act (ADEA)
• Americans with Disabilities Act (ADA)
• Equal Pay Act (EPA)
• Genetics Information Nondiscrimination Act (GINA)
2017 Statistics

- **84,254 Total Charges of Discrimination**
  - 59,466 – Title VII
  - 26,838 – ADA (Americans with Disabilities Act)
  - 18,376 – ADEA (Age Discrimination in Employment Act)
  - 996 – EPA (Equal Pay Act)
  - 206 – GINA (Genetic Information Nondiscrimination Act)

- **26,978 Charges for Harassment in the U.S.**

Source: EEOC.gov
Title VII of the Civil Rights Act of 1964

- Prohibits Discrimination/Harassment:
  - Race
  - Color
  - Religion
  - Sex
  - National Origin
Race/Color

- Ethnic slurs or jokes, offensive or derogatory comments, or other verbal or physical conduct based on an employee’s race/color constitutes harassment if that conduct creates an intimidating, hostile or offensive work environment and prohibits an employee from performing their job.
Religion

• An employee is antagonized or ridiculed because of his religious beliefs
  • Negative comments about an employee’s religious beliefs (or lack of religious beliefs)
• Another type of religious harassment occurs when a co-worker or supervisor “preaches” or proselytizes to an employee and the employee perceives that behavior to be unwanted and offensive, amounting to a hostile work environment
“For 35 years I tried to sign you up as a client. Now that we’re both here, I’ve got the rest of eternity to keep trying!”
Sex/Gender

• Whether or not of a sexual nature
• Includes same-gender harassment and gender identity harassment
• Examples of actions that may create harassment include:
  • Making disparaging remarks about an individual’s gender that are not sexual in nature
  • Leering, i.e., staring in a sexually suggestive manner
  • Making offensive remarks about looks, clothing, body parts
  • Touching in a way that may make an employee feel uncomfortable, such as patting, pinching or intentional brushing against another’s body
  • Telling sexual or lewd jokes, hanging sexual posters, making sexual gestures, etc.
  • Sending, forwarding or soliciting sexually suggestive letters, notes, emails, or images
“I’d like you to keep your ears open and make sure our office is safe from any charges of sexual harassment. Thanks, babe.”
Really Good CAREERS

An equal opportunity employer
National Origin

- Discriminating because of birthplace, ancestry, culture or linguistic characteristics common to a specific ethnic group

- Harassment:
  - Ethnic slurs, workplace graffiti or other offenses based on traits such as an employee’s birthplace, culture, accent, or skin color
  - Expressing negative stereotypes regarding an employee’s birthplace or ancestry
IT'S TIME TO RECLAIM AMERICA FROM ILLEGAL IMMIGRANTS!

I'LL HELP YOU PACK.
Americans with Disabilities Act (ADA)

• Prohibits workplace discrimination on the basis of disability.

• Protects individuals with disabilities, and those regarded as having disabilities.

• Harassment:
  • Derogatory or intimidating references to an employee’s mental or physical impairment
Disability Discrimination & Harassment

“It is illegal to harass an applicant or employee because he has a disability, had a disability in the past, or is believed to have a physical or mental impairment that is not transitory (lasting or expected to last six months or less) and minor (even if he does not have such an impairment).”

-U.S. Equal Employment Opportunity Commission
Accommodations

• The law requires an employer to provide reasonable accommodation to an employee or job applicant with a disability, unless doing so would cause significant difficulty or expense for the employer.

• Example: Any change in the work environment (or in the way things are usually done) to help a person with a disability apply for a job, perform the duties of a job, or enjoy the benefits and privileges of employment.
Defining Disability

A person can show that he or she has a disability in one of three ways:

1. Physical or mental condition that substantially limits a major life activity (such as walking, talking, seeing, hearing, or learning).
2. History of a disability (such as cancer that is in remission).
3. Believed to have a physical or mental impairment that is not transitory (lasting or expected to last six months or less) and minor (even if he does not have such an impairment).
ADA Charge Data by Impairments/Bases

- ANXIETY DISORDER
- CANCER
- DEPRESSION
- DIABETES
- HEART CARDIOVASCULAR IMPAIRMENTS
- MANIC DEPRESSIVE DISORDER
- NON-PARALYTIC ORTHOPEDIC IMPAIRMENT
- ORTHOPEDIC AND STRUCTURAL IMPAIRMENTS of the BACK

- OTHER DISABILITY
- OTHER NEUROLOGICAL IMPAIRMENTS
- POST TRAUMATIC STRESS DISORDER
- RECORD OF DISABILITY
- REGARDED AS DISABLED
- RELATIONSHIP-ASSOCIATION
- VISION IMPAIRMENT
Name the **COLOR**
(not what the word says)

<table>
<thead>
<tr>
<th>RED</th>
<th>YELLOW</th>
<th>BLUE</th>
<th>GREEN</th>
<th>BLACK</th>
</tr>
</thead>
<tbody>
<tr>
<td>PINK</td>
<td>ORANGE</td>
<td>BROWN</td>
<td>GRAY</td>
<td>PURPLE</td>
</tr>
<tr>
<td>GREEN</td>
<td>GRAY</td>
<td>BLACK</td>
<td>BLUE</td>
<td>YELLOW</td>
</tr>
<tr>
<td>GRAY</td>
<td>BROWN</td>
<td>PINK</td>
<td>ORANGE</td>
<td>BLUE</td>
</tr>
<tr>
<td>YELLOW</td>
<td>RED</td>
<td>GREEN</td>
<td>BLACK</td>
<td>GRAY</td>
</tr>
<tr>
<td>BLACK</td>
<td>BROWN</td>
<td>PURPLE</td>
<td>ORANGE</td>
<td>PINK</td>
</tr>
<tr>
<td>PURPLE</td>
<td>BLACK</td>
<td>YELLOW</td>
<td>RED</td>
<td>GREEN</td>
</tr>
<tr>
<td>ORANGE</td>
<td>PINK</td>
<td>BROWN</td>
<td>GRAY</td>
<td>PURPLE</td>
</tr>
</tbody>
</table>
Name the **COLOR**
(not what the word says)

<table>
<thead>
<tr>
<th>RED</th>
<th>YELLOW</th>
<th>BLUE</th>
<th>GREEN</th>
<th>BLACK</th>
</tr>
</thead>
<tbody>
<tr>
<td>PINK</td>
<td>ORANGE</td>
<td>BROWN</td>
<td>GRAY</td>
<td>PURPLE</td>
</tr>
<tr>
<td>GREEN</td>
<td>GRAY</td>
<td>BLACK</td>
<td>BLUE</td>
<td>YELLOW</td>
</tr>
<tr>
<td>GRAY</td>
<td>BROWN</td>
<td>PINK</td>
<td>ORANGE</td>
<td>BLUE</td>
</tr>
<tr>
<td>YELLOW</td>
<td>RED</td>
<td>GREEN</td>
<td>BLACK</td>
<td>GRAY</td>
</tr>
<tr>
<td>BLACK</td>
<td>BROWN</td>
<td>PURPLE</td>
<td>ORANGE</td>
<td>PINK</td>
</tr>
<tr>
<td>PURPLE</td>
<td>BLACK</td>
<td>YELLOW</td>
<td>RED</td>
<td>GREEN</td>
</tr>
<tr>
<td>ORANGE</td>
<td>PINK</td>
<td>BROWN</td>
<td>GRAY</td>
<td>PURPLE</td>
</tr>
</tbody>
</table>
Test Your Awareness...

Read the sentence below:

- FINISHED FILES ARE THE RESULT OF YEARS OF SCIENTIFIC STUDY COMBINED WITH THE EXPERIENCE OF MANY YEARS.

Now, count the number of F’s in the sentence. Count them only once. Do not go back and count them again.
Age Discrimination in Employment Act (ADEA)

- Prohibits Employment Discrimination based on Age (40+)
- Harassment:
  - Negative comments regarding an employee’s age when referring to employees 40 and over
“Hey old guy... need a hand with that?”

Harassment!
I had to make some adjustments so your new retirement date is 2065.
Equal Pay Act (EPA)

- Protects men and women who perform substantially equal work in the same establishment from sex based discrimination.
Genetic Information Nondiscrimination Act (GINA)

• Prohibits employers from discriminating against employees in hiring, firing or any other terms and conditions of employment based on a worker’s genetic information.

• Harassment:
  • Making offensive or derogatory remarks about an applicant or employee’s genetic information, or about the genetic information of a relative of the applicant or employee
"Don’t play with him, he is Wild Type."
What do you think?

• A supervisor in the accounting department constantly and publicly criticizes his employees and calls them stupid and lazy. Is this illegal harassment or workplace bullying?

• The same accounting supervisor refers to one of his employees as an “old gal” who is “over the hill” and has problems using a computer because of her age. Illegal harassment or workplace bullying? Why?
Harassment/Discrimination: Your Experience

• Have you or someone you know ever experienced discrimination and/or harassment in the workplace?
• What effect does it have on the worker being harassed or discriminated against?
Effects of Harassment

• Lost productivity
• Emotional distress
• Work group conflicts
• Damaged careers
• Public embarrassment
• Disrupted personal lives
• Retaliation incidents
Creating a Respectful Workplace

• Goal: Promote Respectful Relationships
  • Understand What Harassment Is
  • STOP Harassment
    • Put yourself in their shoes
    • Listen and take others seriously
    • Don’t try to impose your values and views
    • State how you feel in uncomfortable situations
    • Always remember what your momma told you...

DO UNTO OTHERS...! 😊
Stopping Discrimination/Harassment

- Speak up
- Let them know how you feel
- Specify acceptable alternatives (if possible)
- Express the seriousness of the situation
What if you are the Offender?

• LISTEN to their concerns
• Take their concerns seriously
• Apologize for your mistakes
• Explain your solution to the problem
• Acknowledge their feelings
• Show appreciation
Maintaining a Respectful Workplace

• All individuals are acknowledged and respected
• Each individual’s concerns are heard
• Values and viewpoints are not imposed on others, but are respected by all
• Discrimination of a negative format or differential treatment of others is not tolerated by anyone
Creating a Respectful Workplace

Questions/Comments?

Prof. Jamie H. Conrad
828-328-7200
jamie.conrad@lr.edu

We are all different but we are all the same – Respect the difference