

## Ad-Hoc Topics

### “STRICTLY BUSINESS.”

*Interoffice Relationship*

**Purpose:**

A video-based jury exercise based on a supervisor/subordinate relationship that summarizes the purpose for all of the Prescriptive Rules<sup>®</sup>.

**Learning Points:**

- Sexual relationships between a supervisor and employee taint the legitimacy of business decisions.
- Cases tried before a jury lead to unpredictable outcomes.

**Skills Practiced:**

- Analyzing documents

### “WHAT DO YOU MEAN?”

*Workplace Violence*

**Purpose:**

A text-based exercise that explores potentially violent workplace situations. Includes information about workplace violence, its prevalence and warning signs, and where to *Get Help* when situations that could escalate occur.

**Learning Points:**

- Supervisors have a responsibility to act when they become aware of situations that violate policy or compromise safety.
- Inappropriate comments in the workplace may lead to more serious workplace problems.

**Skills Practiced:**

- Identifying risky workplace behaviors
- Applying the Duty to Act

### “SENDING A MESSAGE.”

*Sexual Orientation*

**Purpose:**

A text-based exercise that discusses sexual orientation and gender identity/expression. Participants learn that harassment based on sexual orientation is just as serious as any other form of harassment.

**Learning Points:**

- Inappropriate treatment based on sexual orientation or gender identity/expression is a form of sexual harassment.
- Supervisors must encourage employees to come forward with their concerns.

**Skills Practiced:**

- Preventing and addressing inappropriate behaviors

## module overviews

### INTERVIEWING SKILLS

*Conducting Interviews*

**Purpose:**

A text-based exercise where participants analyze criteria used in interviewing and selecting employees.

**Learning Points:**

- Using non-measurable criteria in making business decisions creates risk for the organization.

**Skills Practiced:**

- Acting consistently in applying law and policy

### TAKE NOTE

*Documentation*

**Purpose:**

A text-based exercise where participants analyze documents for effectiveness. Participants discuss the difference between fact and speculation and other key points about documentation.

**Learning Points:**

- Documents should be created as soon after an event as possible to ensure accuracy.
- Any situation that has the potential to impact the organization (either positively or negatively) should be documented.
- Documents should include the essential facts of a situation, including when, where, who, what, how, and why (if known).

**Skills Practiced:**

- Identifying factual and speculative statements in documents

For more information about Civil Treatment<sup>®</sup> for Managers Government or other ELI<sup>®</sup> learning solutions, contact your sales representative at (800) 497-7654.



## Part I • The Workplace Environment

## module overviews

### INTRODUCTION

*Course Objectives, The Prescriptive Rules<sup>®</sup>*

**Purpose:**

This interactive introduction uses a video to spark discussion about what Civil Treatment<sup>®</sup> is and how it relates to the organization's broader business goals. Participants analyze a realistic business scenario and suggest ways that supervisors can create a productive work environment and make fair business decisions. These guidelines, known as the Prescriptive Rules<sup>®</sup>, are applied throughout the program to help participants ensure their behavior supports the goals of the organization.

**Learning Points:**

- Civil Treatment<sup>®</sup> is important due to legal and business imperatives.
- The Prescriptive Rules<sup>®</sup> provide guidelines for building a CT Workplace<sup>™</sup>.
- Litigation is time-consuming, unpredictable, and has a negative impact on organizational resources.

**Skills Practiced:**

- Identifying risks of inappropriate behavior
- Identifying the Prescriptive Rules<sup>®</sup>

### “SOME MEETING...”

*Sexual Harassment, Third-Party Harassment*

**Purpose:**

A video-based exercise that illustrates the effects of not following Prescriptive Rule<sup>®</sup> #1: *Guard Words and Actions*, defines sexual (and other types of) harassment, and outlines a roadmap for minimizing risk in the workplace environment.

**Learning Points:**

- Sexual harassment is a serious business issue.
- Behavior does not have to be egregious to contribute to a hostile work environment.
- Inappropriate comments and actions may taint the legitimacy of business decisions.
- Organizations have a duty to inform employees of policies regarding harassment and discrimination.
- Employees have a responsibility to speak up according to policy guidelines.

**Skills Practiced:**

- Identifying risky workplace behaviors

### “THE TOP 5 REASONS”

*Religion, National Origin*

**Purpose:**

A textual exercise based on an e-mail message illustrating examples and risks of harassment based on religion or national origin. Participants explore ways to proactively address inappropriate behavior before it becomes a problem, and also review the organization's policies on electronic communications.

**Learning Points:**

- Inappropriate conduct based on religion or national origin is illegal, unprofessional, and violates the Prescriptive Rules<sup>®</sup>.
- Electronic communications are business communications that could serve as evidence of harassment.

**Skills Practiced:**

- Identifying risky workplace behaviors

### “WHAT AM I SUPPOSED TO SAY?”

*Retaliation, Gender*

**Purpose:**

A two-part jury exercise in which participants examine sex-based discrimination and retaliation. Participants learn that how they respond to a claim – even if it is unfounded – can have a significant impact on the organization.

**Learning Points:**

- Sex-based discrimination exists when employees or applicants are treated differently because of their gender.
- Retaliation occurs when an employee is disciplined or fired or his/her employment is adversely affected because he/she raised a complaint, participated in an investigation, or took legal action.
- You should never take adverse action against an employee for raising a complaint in good faith.

**Skills Practiced:**

- Identifying risky workplace behaviors

## Part I • *The Workplace Environment*

## module overviews

### “WHAT’S ON YOUR MIND?”

*Internal Complaints, Duty to Act*

**Purpose:**

A two-part exercise that illustrates the business imperative for the Duty to Act, even when employees request confidentiality.

**Learning Points:**

- All forms of harassment and inappropriate behavior require management intervention.
- Inaction implies that harassment is not a serious business issue and/or that the organization condones the behavior.
- Supervisors should partner with EEO or Human Resources to investigate employee complaints.
- Documentation may be inadequate without getting help.
- Violations of the law and/or policy supersede the trust and bond between a supervisor and employee.

**Skills Practiced:**

- Creating effective documentation
- Identifying the Duty to Act

### “WHEN’S MY TURN?”

*Mutual Banter*

**Purpose:**

A video-based exercise that illustrates the effects of mutual banter on the work environment, even when no formal complaints of inappropriate behavior are made.

**Learning Points:**

- Inappropriate banter in the workplace may be part of a broader issue.
- Mutual banter may negatively impact the work environment.
- Supervisors must act on inappropriate behavior even if no one appears offended.

**Skills Practiced:**

- Identifying risky workplace behaviors
- Applying the Duty to Act

### “ARE YOU GOING TO BE THERE?”

*Abusive Behavior*

**Purpose:**

A video-based exercise in which participants analyze abusive behavior and its effect on the workplace. Participants also discuss favoritism and inclusion.

**Learning Points:**

- Abusive behavior is not an effective or acceptable management style or performance management method.
- Preferential treatment damages supervisor credibility.
- Behavior that is not illegal may still harm the workplace environment and put the organization at risk.
- How supervisors achieve results is as important as the results themselves.

**Skills Practiced:**

- Analyzing workplace scenarios
- Preventing abusive behavior

## Part II • *Business Decisions*

### “CAN YOU BELIEVE IT?”

*Age Discrimination, The FACT Model<sup>®</sup>*

**Purpose:**

A video-based jury exercise that illustrates how not following the rules in employment decisions may create risks for an organization. The FACT Model<sup>®</sup> is introduced as a tool that can be used to make fair and objective business decisions.

**Learning Points:**

- Direct evidence of discrimination has a powerful impact on a jury.
- Juries are typically sympathetic toward older employees.
- Workforce reductions should be conducted in a manner consistent with policy.

**Skills Practiced:**

- Identifying behavioral risks affecting the legitimacy of employment decisions
- Identifying legitimate business criteria
- Applying the FACT Model<sup>®</sup>

## Part II • *Business Decisions (continued)*

## module overviews

### “NO DOUBT ABOUT IT.”

*Pregnancy Issues*

**Purpose:**

A video-based exercise that illustrates the complexity of decisions involving employees/applicants who are pregnant, and the importance of following Rule #3: *Get Help*.

**Learning Points:**

- Pregnancy and related conditions are covered under both the PDA and FMLA.
- Assumptions applied in the decision-making process may create risk.

**Skills Practiced:**

- Identifying relevant business issues
- Applying the FACT Model<sup>®</sup>

### “I’M REALLY IN A BIND.”

*Disability and Religious Accommodation*

**Purpose:**

A text-based exercise that explores issues of disability and religion by explaining supervisors’ responsibilities when faced with a request for an accommodation.

**Learning Points:**

- *Get Help* when faced with disability management issues.
- Create a partnership with employees who request accommodation for reasons of disability.
- Requests for religious accommodation should be handled consistently with organizational policy and past practice.

**Skills Practiced:**

- Analyzing workplace scenarios
- Identifying accommodation issues
- Applying the FACT Model<sup>®</sup>

### “WE HAVE A LITTLE PROBLEM.”

*Race Discrimination, Disparate Treatment*

**Purpose:**

A video-based exercise that illustrates how failing to *Get Help* to investigate can lead to evidence of discrimination.

**Learning Points:**

- Discrimination may exist without evidence of written or verbal comments.
- Failing to investigate prior to making business decisions may lead to discrimination.

**Skills Practiced:**

- Applying the FACT Model<sup>®</sup>
- Documenting workplace events accurately and objectively