

civil treatment[®] for MANAGERS

Harassment and Discrimination Training



online module overviews

INTRODUCTION, "Because we're busy..."

Course Objectives, Duty to Act, The Prescriptive Rules[®]

Purpose:

This interactive module explores what Civil Treatment[®] is and how it relates to the organization's broader business goals. Participants analyze a realistic business scenario and suggest ways that managers can create a productive work environment and make fair business decisions. Participants are also introduced to the Prescriptive Rules[®], which are applied throughout the program to help participants ensure their behavior supports the goals of the organization.

Learning Points:

- The Prescriptive Rules[®] provide guidelines for building a civil workplace.
- Following the Prescriptive Rules[®] helps managers align workplace behavior with the organization's expectations and minimize the risk of liability.
- Managers must take action when they become aware of inappropriate behavior.

Skills Practiced:

- Identifying risks of inappropriate behavior

WORKPLACE ENVIRONMENT (PART 1), "Some meeting..." Part II

Purpose:

Participants are asked to join a management meeting. Before the meeting begins, the participants learn that a former manager has ended up in court because of his inappropriate behavior. The managers at the meeting agree to share the issues they have experienced, so they can avoid litigation. This scenario sets the scene for the next three modules.

Learning Points:

- Litigation is time-consuming, unpredictable, and has a negative impact on organizational resources.

HANDLING COMPLAINTS, "What's on your mind?"

Sexual Harassment, Hostile Work Environment, Retaliation, Electronic Communications

Purpose:

This module defines sexual (and other types of) harassment and outlines a roadmap for minimizing risk in the workplace environment.

It also illustrates the business imperative for the Duty to Act, even when employees request confidentiality.

Learning Points:

- Sexual harassment is a serious business issue.
- Documentation may be inadequate without getting help.
- All forms of harassment and inappropriate behavior require management intervention.
- Violations of the law and/or policy supersede the trust and bond between a manager and employee.
- Employees are protected from retaliation when raising concerns.
- Everyone in the organization has a responsibility to help prevent harassment in the workplace.
- Managers should address e-mails, faxes, memos, and web sites with inappropriate content in the same manner as other forms of inappropriate behavior.

Skills Practiced:

- Creating effective documentation
- Identifying the Duty to Act
- Identifying risky workplace behaviors

MONITORING CONVERSATIONS, "When's my turn?"

Mutual Banter

Purpose:

This exercise 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.
- Managers must act on inappropriate behavior even if no one appears offended.

Skills Practiced:

- Identifying risky workplace behaviors

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MANAGING CONFLICT, "Catch the game last night?"

Workplace Violence, Documentation

Purpose:

This module explores how casual conversations can escalate into potentially violent confrontations when personal characteristics are referenced. Includes information about workplace violence, its prevalence and warning signs, and where to get help with situations that could escalate.

Learning Points:

- Managers 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.
- Creating fact-based documentation helps managers not only when addressing workplace situations, but also when conducting other day-to-day activities.

Skills Practiced:

- Identifying risky workplace behaviors
- Applying the Duty to Act

BUSINESS DECISIONS (Part 2)

Mutual Banter

Purpose:

This module transitions users from the first half of the course, Workplace Environment, to the second part of the course, Business Decisions. Participants learn about the FACT Model[®] and its business applications. At the end of this module, participants are taken to their virtual office where they must complete three tasks for the day: make a promotion decision, review an accommodation request, and attend a management meeting.

Learning Points:

- The FACT Model[®] provides some basic guidelines for making any business decisions.

PROMOTION DECISIONS

Fair Hiring, Objective Decision Making, Pregnancy Issues

Purpose:

In this module, participants evaluate candidates for a promotion and use the FACT Model[®] to make fair and objective business decisions. This exercise 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 Pregnancy Discrimination Act and the Family and Medical Leave Act.
- Managers should *Get Help* when faced with any pregnancy issues.
- Assumptions applied in the decision-making process may create risk.
- Employment decisions should be based on legitimate business criteria.

Skills Practiced:

- Identifying relevant business issues
- Applying the FACT Model[®]
- Identifying measurable criteria
- Acting consistently in applying law and policy

ACCOMMODATION REQUEST, "I'm really in a bind." and "Your top priority."

Disability Discrimination, Religious Discrimination

Purpose:

This module begins with a disability management exercise that explains managers' responsibilities when faced with a request for an accommodation due to disability. The second exercise is based on an e-mail message that highlights religious discrimination and accommodations for religious reasons.

Learning Points:

- *Get Help* when faced with disability management issues.
- Requests for religious accommodation should be handled consistently with policy and past practice.

Skills Practiced:

- Analyzing workplace scenarios
- Identifying accommodation issues
- Applying the FACT Model[®]

DISCIPLINARY DISCUSSION, “We have a little problem.”

Race Discrimination, Disparate Treatment

Purpose:

This module illustrates how failing to properly look into a situation can lead to evidence of discrimination.

Learning Points:

- Discrimination may exist without evidence of written or verbal comments.
- Utilizing the Prescriptive Rules[®] and the FACT Model[®] as part of managing employee performance helps ensure that policies are being consistently applied and past performance is being considered.

Skills Practiced:

- Documenting workplace events accurately and objectively

COMMUNICATING TERMINATION, “Can you believe it?”

Purpose:

This exercise illustrates how not following the Prescriptive Rules[®] in making and communicating employment decisions may create risks for an organization.

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

SUMMARY

Disability Discrimination, Religious Discrimination

Purpose:

This module reviews key point from the course, including Workplace Environment issues, Business Decision issues, the Prescriptive Rules[®], the FACT Model[®], and a manager’s Duty to Act.