

AUGUST 14, 2019

**WHAT'S INSIDE**

- 2 Sharpen Your Judgment**  
Was employee's griping a 'protected' activity?
- 3 Employment Law Update**  
Court favors employee who didn't comply with FMLA leave procedure
- 4 Answers to Tough HR Questions**  
What are overlooked soft skills we should train for?
- 6 News You Can Use**  
House votes to raise the minimum wage to \$15
- 8 What Would You Do?**  
Staff's social media use is getting out of hand: Can HR stop the distractions?

**HRMORNING**

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**HRMorning**, part of the Catalyst Media Network, provides the latest HR and employment law news for HR professionals in the trenches of small-to-medium-sized businesses. Rather than simply regurgitating the day's headlines, **HRMorning** delivers actionable insights, helping HR execs understand what HR trends mean to their business.

## Harassment blind spots: 3 keys to opening your CEO's eyes

### ■ How HR & the C-suite can tackle the issue together

In this post-#MeToo world, nearly every HR pro has made sexual harassment prevention a top priority.

But despite your best efforts, harassment isn't going away. Research shows employees are just as likely to be sexually harassed now as they were before the #MeToo movement.

### 3 misconceptions

So why does this issue persist? Turns out, even if HR is proactive and diligent when it comes to harassment prevention efforts, if the higher-ups aren't as committed, problems will continue.

According to employment law attorney Jathan Janove, there are a lot of reasons CEOs don't take sexual harassment claims more seriously, despite the severity of the issue.

One reason is higher-ups have a hard time believing that employees who are always courteous to their bosses could ever cross a line with their colleagues. It's easy for managers to dismiss a harassment claim outright, saying, "I know John, and he would never do something like that!"

Janove says another issue is CEOs are more willing to give top performers

*(Please see Blind spots ... on Page 2)*

## Is your website ADA-compliant? Should it be?

### ■ Blind customer accuses Domino's of online disability discrimination

Pizza chain Domino's, backed by the U.S. Chamber of Commerce, asked the Supreme Court earlier this month to step in and decide whether the Americans with Disabilities Act (ADA) applies to online ordering.

This all started back in 2016 when a blind customer sued the restaurant because he couldn't use the website or app to place an order.

### Not accessible

The customer claims Domino's website isn't compatible with standard

screen reading software, and therefore violates the ADA.

He says Domino's should bring its digital ordering tools into compliance by making online content accessible to people with disabilities.

Earlier this year, the 9th Circuit agreed, but didn't know what an appropriate solution would be. Now, the Supreme Court gets to weigh in.

For now, if a business website offers customers a link to services offered at a physical location, the ADA applies.

*Click: [bit.ly/ADAsite539](http://bit.ly/ADAsite539)*

### Blind spots ...

(continued from Page 1)

the benefit of the doubt or a second chance, since that employee impacts the company's bottom line.

The third reason CEOs aren't in a hurry to do more is often because they think that current harassment policies and training in place are enough, Janove says. But conventional sexual harassment prevention does little more than protect a company against potential lawsuits.

#### Culture shift

If HR truly wants to get to the root of the sexual harassment problem, it'll need to get the C-suite completely on board.

To tackle sexual harassment, company culture needs an adjustment from the top, down, Janove says.

CEOs need to adopt the attitude that harassment prevention should be a priority because every employee

deserves to feel safe and respected – training and policies shouldn't have the sole purpose of shielding the company from legal problems.

Janove says when higher-ups get wind of harassment reports, they shouldn't ask whether the behavior was sexual or unwelcome, but rather, "Does this behavior support our commitment to a respectful, secure work environment for all?"

When a CEO looks at sexual harassment from this perspective, and HR reinforces this position, employees will quickly get the message that harassment is unacceptable.

#### Convincing the CEO

Creating a united front between HR and the C-suite can be easier said than done, though. Many CEOs believe sexual harassment isn't a problem at their company.

Here's how you can convince the higher-ups to take harassment prevention seriously, according to EEOC staff:

1. **Cost of litigation.** Last year, employers paid about \$70 million in monetary damages in EEOC sexual harassment cases. This number doesn't include lawsuits filed privately. This payout alone is giant enough to get any CEO's attention.

2. **Loss of productivity.** It's impossible for harassed employees to be engaged, productive workers. Victims of harassment often suffer adverse mental health effects, which can result in absenteeism and higher medical costs. A harassment-free environment will only lead to higher productivity.

3. **Harm to company reputation.** If word gets out about any harassment problems, it will be very difficult for an employer to attract talented candidates. Having a strong stance on preventing sexual harassment will only help with recruiting and ensure company reputation remains intact.

Info: [bit.ly/CEO539](http://bit.ly/CEO539),  
[bit.ly/convince539](http://bit.ly/convince539)

## Sharpen your JUDGMENT

*This feature provides a framework for decision making that helps keep you and your company out of trouble. It describes a recent legal conflict and lets you judge the outcome.*

#### ■ Was employee's griping a 'protected' activity?

HR manager Lynn Rondo was anxiously drumming her fingers on her desk, waiting for department manager Laura Morgan.

"Hi, Laura," Lynn said as she walked in.

"Do you remember when I had to discipline Alex Brooks for cursing at his co-workers?" Laura asked, diving right in.

"That's hard to forget," Lynn replied. "We gave him a written warning and put a copy in his file."

"Well, now he's going around giving everyone all the details I explicitly told him not to," Laura said. "I'm done with him!"

#### Breaking confidentiality

Lynn shook her head. "That sure sounds like Alex. But do you really want to fire him for it?"

"Yes," Laura said without hesitation. "It's a violation of confidentiality and a disruption!"

"I get it," Lynn said. "Let's consider something first. I know he's a pain, but I'm not sure how much we can limit him discussing his own discipline. It'd be different if he were talking about other people."

"I don't care," Laura replied. "He has to go."

Alex sued the company for wrongful termination, saying he couldn't be fired for talking about his own discipline.

The company said it had a right to fire him for breaking confidentiality. Did it win?

■ *Make your decision, then please turn to Page 6 for the court's ruling.*

HR MORNING'S

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# Court favors employee who didn't comply with FMLA leave procedure

### ■ Employer's policy inconsistent with other leave procedures

The law tends to favor the employer in cases where employees fail to follow company FMLA procedures.

But a recent court case has shown that there are exceptions.

### Consistency matters

LaShondra Moore worked at a Burger King when her mother fell victim to a life-threatening medical situation.

Moore requested a week off, and her manager told her to take all the time she needed. Problems arose when Moore's leave stretched beyond one week without any communication.

At this point, the manager realized that Burger King actually has a "two-call-in" policy for requesting FMLA leave. This means that Moore had to notify both her manager and HR

before she could properly take leave.

Within the next week, Burger King fired her for breaching its FMLA leave procedures. Moore filed an FMLA interference claim in response.

The district court ruled in favor of Moore. It found the company's policy was inadequate, so Moore couldn't be punished for her breach.

According to the court, employers can uphold a "two-call-in" FMLA requirement *only* if that approach applies to all paid leave requests.

In this case, Burger King required the rigid procedure just for FMLA leave. As the court said, employers may not deny FMLA leave based on a procedure that includes more hurdles than other types of paid leave.

*Cite: Moore v. GPS Hospitality Partners IV, LLC*

# Take the high road: Infrequent racial slurs can still create a hostile work environment

### ■ Quality over quantity when it comes to workplace harassment

When four racial slurs were made in the presence of an African-American employee over the course of a year, it raised the question of whether that constituted a hostile work environment.

Here's what the 9th Circuit had to say in a recent case.

### Are four slurs enough?

Johnny Mack worked at a town roads department for 20 years with no problems. When the department added two new hires, however, that started to change.

Over the year following their hire, Mack overheard them using the "n-word" three times, and a racial slur toward Native Americans once.

Because Mack was the only African-American employee in the department during this time, these slurs affected him the most.

Mack sued, claiming that his co-workers' offensive behavior violated his Title VII right to a fair work environment.

A district court rejected Mack's claim, saying that just four racial slurs were insufficient to establish a case.

But the 9th Circuit reversed. It said that three of the four incidents involved "perhaps the most offensive and inflammatory racial slur" in the English language, making up for their infrequency. The case is ongoing.

*Cite: Mack v. Town of Pinetop Lakeside, AZ*

### ■ National bank ignores mental illness, earns EEOC lawsuit

When Citizens Bank failed to accommodate an employee's anxiety condition, the EEOC made it clear that mental illnesses are protected under the ADA just like physical disabilities.

The employee worked as a supervisor at a call center in Rhode Island. Due to his developing anxiety, he requested reassignment to a position that didn't require him to field phone calls. While he was qualified for multiple vacant positions within the vicinity, the company denied his request.

Eventually, the employee's symptoms became so severe that he had to take medical leave. Still, the bank held firm on its stance, forcing the employee to resign.

The ADA explicitly recognizes reassignment as a reasonable accommodation. The EEOC is suing for disability bias on behalf of the employee.

*Info: bit.ly/anxiety539*

### ■ Hostile work environment costs police department \$12K

The EEOC jumped to action when an employee was forced to resign after filing a sexual harassment complaint to upper management.

The employee, a former officer at the North Liberty Police Department of Indiana, experienced prevalent sexual harassment at work. After the officer filed a complaint, they were disciplined and shortly forced to resign, says the EEOC.

North Liberty PD will pay \$12,000 to the employee for violating Title VII's protections against sexual harassment and retaliation for employee complaints.

Seventy percent of employees withhold sexual harassment claims for fear of retaliation, says the EEOC. To encourage workers to speak up, North Liberty PD must also update its sexual harassment policies and provide training.

*Info: bit.ly/hostile359*

# Experts give their solutions to difficult workplace problems

HR professionals like you face new questions every day on how to deal with workplace conflict and employment law. In this section, experts answer those real-life questions.

## What are overlooked soft skills we should train for?

**Q:** When we bring on a new employee, we're sure to give them all the job training they need. But what are some soft skills we should focus some training on?

**A:** Never underestimate the value of teaching good communication and problem-solving skills, says Kyra Leigh Sutton, professor at Rutgers University School of Management.

It's particularly crucial to train younger employees in these areas, as it could be their very first job. College students often express frustrations with being taught only the technical functions of their job, but not how to deal with upset customers, for example.

This kind of training doesn't have to be overly formal or time-consuming, either. Managers can take a few minutes during team meetings to discuss soft skills. It can be as easy as saying, "Let's talk about two solid things you can start doing to build your problem-solving skills."

## What email tips can help us avoid legal trouble?

**Q:** We know it's important to be careful with what we say in emails, as they can be made public in court. But are there any bad email habits we should avoid altogether?

**A:** You're right to treat emails like legal documents, says

employment law attorney Robin Shea of the firm Constangy, Brooks, Smith & Prophete LLP. Being aware of that is a great first step, but here are a few other ways to prevent lawsuits through emails:

- Keep it short: Long emails could contain unnecessary information that could hurt you in court, and the wordiness could muddle important points.
- Keep an eye on the time: Sending emails outside of work hours could cause FLSA issues if your off-the-clock employees feel compelled to answer them.

## Which mental health disorders need ADA accommodations?

**Q:** Mental health conditions can be covered under the ADA just like physical disabilities – what are some examples of disorders we'd need to accommodate?

**A:** If an employee's mental health condition limits a major life activity or impacts their ability to perform essential job functions, an accommodation may be necessary, says employment law attorney Amy Epstein Gluck of the firm FisherBroyles LLP.

Some examples of conditions that may do that include general anxiety disorder, depression, bipolar disorder, OCD and PTSD.

*If you have an HR-related question, email it to Rachel Mucha at: [rmucha@HRMorning.com](mailto:rmucha@HRMorning.com)*

## EFFECTIVE COMMUNICATION

### ■ Conflict resolution: How to cool down angry employees

Regardless of how friendly your staff is, no workplace is immune to the occasional conflict. Even something as minor as a misplaced pen can put two employees at odds.

Most people prefer to stay far away when conflicts arise. But that's not an option for HR – it's your job to step in when an argument erupts.

However, it's dangerous to say the wrong thing when people are angry. So, what's the best way to handle conflict in the workplace?

### 3 step process

Skills coach Roi Ben-Yehuda shared with *Fast Company* his tips for safely extinguishing hotheads in the office.

1. **Name the emotion.** Research shows that labeling an emotion, rather than suppressing or over-expressing, can reduce its intensity.

Get arguing employees to name exactly what they're feeling. And don't just settle for "angry" – pry out the more telling emotions like "betrayed" or "ignored."

2. **Downplay the story.** When we're fighting with someone, the mind likes to spin the narrative in our favor regardless of the facts.

Stop asking for the story. Instead, dig into the underlying issue. Some guiding questions to help:

- How are you contributing to the conflict?
- What forces are affecting the other person's behavior?
- What would you do in their shoes?

3. **Shift their perspective.** In reality, the only thing we have control over is our own behavior. Fixating on how to change the other person will only waste time.

Switch the employee's focus onto himself – how can he forgive the other person? What can he do to avoid a similar situation?

**Info:** [bit.ly/conflict539](http://bit.ly/conflict539)

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## WHAT WORKED FOR OTHER COMPANIES

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Our subscribers come from a broad range of companies, both large and small. In this regular feature, three of them share a success story illustrating ideas you can adapt to your unique situation.

### 1 **Fresh uniforms gave employees morale boost**

During a routine evaluation of our dress code, we decided it was time for a change.

We always want our employees to be at their most comfortable so they're able to bring their best selves to work – that's why we allowed them to start wearing jeans and sneakers.

And while that change was a big hit, workers brought another uniform issue to our attention.

The vests they're required to wear

were in desperate need of a revamp. Employees told us the vests were bulky and uncomfortable to wear – not to mention the blue color easily showed dirt and stains.

So we took that feedback and ran with it.

#### Fun and functional

After a year-long process, we've come up with a new vest design that management happily approved.

We decided on a steel gray color, which not only would look good on

everyone, but it would also hide dirt.

So all our employees look and feel good in the vest, we now offer different sizes. To make it more light and breathable, some of the material is made from recycled bottles.

And, so our workers can genuinely enjoy what they're wearing every day, we've allowed personalization – our people can choose the color of their vest piping, and down the line we'll allow them to add icons to the vests.

*(Kristal Mooney, learning experience owner, Walmart, Bentonville, AR)*

**REAL  
PROBLEMS,  
REAL  
SOLUTIONS**

### 2 **Treatment program offers second chances**

We had many employees who were retiring, so we needed to fill dozens of positions at our manufacturing plant.

But it was getting harder to find candidates because so many (10%) were failing pre-employment drug screenings.

There was no mechanism to deal with this except to say, "Sorry, you can't work here."

The CEO and others talked about how it was affecting our business, and

we realized we needed to take action.

We decided to launch a pilot program called Pathways to Employment.

We teamed up with local behavioral health providers to develop our program.

#### Right level of support

Now, if an applicant fails a drug screening, they're offered the chance to enter the program, which helps them get clean. So far, 30 people have been through it.

The success rate is better than we could've hoped for, with 12 participants now working in machine operator roles.

The average cost per participant is a small price to pay, considering we've likely cultivated loyal employees for life.

We know there's still work to be done, but we believe we can continue to enact change by working to help these applicants.

*(Dean McKenna, senior VP of HR, Beldin Inc., St. Louis)*

### 3 **Survey results helped beef up our benefits**

There was a lot of competition for professionals in our area, and we knew keeping our employees happy with their benefits was an important component to retention.

Using SurveyMonkey, we launched a benefits survey employees could take anonymously.

We learned a lot about what they liked and what they still needed, and made some necessary changes.

One thing we discovered: one

of our worksites had zero network providers in its town. So our broker helped us negotiate a new carrier that offered more providers serving that area.

#### Expanded dental plan

We also expanded our dental plan to include child orthodontia, something our employees said they were interested in. It's been a big hit.

Another bonus: newer employees were putting in more preventive and wellness claims, which lowered our healthcare costs. So we put that

money to work to cover more of the major medical plan for employees, which gave them more take-home pay.

We know these improvements make our benefits better than the competition because our employees tell us so.

Our plan is to stay responsive through annual surveys and continue to promote wellness to keep costs down.

*(Nicole Odell, operations manager, Crossroads Medical Management, Perry, GA)*

### House votes to raise minimum wage to \$15

With a vote of 231-199, the House of Representatives passed the Raise the Wage Act last month, which would raise the federal minimum wage to \$15 an hour by 2025.

The bill was originally introduced by Rep. Bobby Scott and Sen. Bernie Sanders back in January. Though the bill passed through the House, the odds are very slim it'll become law.

Senate Majority Leader Mitch McConnell reportedly said he would not be introducing the Raise the Wage Act into the Senate.

Info: [bit.ly/minwage539](http://bit.ly/minwage539)

### Oregon enacts new paid family leave law

Oregon just became the most generous state in the U.S. when it comes to family leave.

On July 1, Gov. Kate Brown signed the law into effect, guaranteeing any employee 12 weeks of paid leave.

This applies to new parents as well as anyone needing to care for family members with serious health conditions. Victims of stalking or sexual assault are eligible for this leave as well.

The law doesn't officially start until 2023, but employers should begin to

prepare. Oregon is now the eighth state to pass a paid family leave law.

Info: [bit.ly/family539](http://bit.ly/family539)

### Study: 50% of workers say they have 'just a job'

The good news for employers? Half your employees consider the work they do to be a career. The bad news? The other half look at it as "just a job."

CareerBuilder conducted a study and found up to 32% of employees plan to make a job change this year. Seventy-two percent said that while they weren't actively searching for a new opportunity, they'd be open to it.

The biggest reason workers don't see their positions as more than a job: no room for advancement. Fifty-eight percent reported their companies offer them enough opportunities to advance their careers.

Info: [bit.ly/justajob539](http://bit.ly/justajob539)

### Lighter side: Lottery win puts job search on hold

Most college students get some kind of summer job or internship while they're on break from school.

One New Jersey father was trying to convince his 20-year-old son he needed a job, but the son had a pretty good reason not to get one.

## WHAT COMPANIES TOLD US

### Reporting harassment

Why are employees hesitant to report witnessed sexual harassment?

Note: More than one answer accepted.

Worried about consequences

34%

Not wanting to interfere

29%

Unaware witnesses can report

22%

Not wanting to "snitch"

18%

Unaware how to report

16%

Source: Spot

It's well known that victims of sexual harassment are hesitant to report the incidents. But, it turns out, so are witnesses: 77% don't go to HR when they see someone being harassed.

Each issue of WWHR contains an exclusive survey to give executives insight into what their peers nationwide are thinking and doing.

During the job discussion, the son checked his Mega Millions ticket, and had five matching numbers.

The dubious dad drove them to a convenience store, where it was confirmed the ticket was a winner for a cool \$1 million.

The college student plans to take his family on a nice vacation, putting an end to dad's nagging for now.

Info: [bit.ly/lottery539](http://bit.ly/lottery539)

## Sharpen your judgment...

### THE DECISION

(See case on Page 2)

No. The company lost.

The dispute ended up in a hearing before the National Labor Relations Board (NLRB), which passes judgment on some cases involving what employees may or may not discuss in the workplace.

The NLRB ruled Alex had a right to discuss – and even complain about – an "employment action" such as discipline when the employee himself was the subject.

That meant the company couldn't put a confidentiality clamp on any discussions with the employee or discipline the employee for speaking out.

Had Alex repeated the action for which he was disciplined, then the company would've had full authority to take action. But just talking about the discipline wasn't enough to warrant termination.

### ■ Analysis: Work matters OK to discuss

The NLRB has ruled, in general, that companies can't curtail employee conversations about work matters unless such conversations violate the privacy rights of another worker or greatly interfere with business.

Note: Some employers believe employee rights under the NLRB cover only union workplaces. Not true. The rights cover union and non-union situations.

Cite: *Craft v. Phillips Electronics, U.S. Dist. Ct., TN W.D., No. 12-3024-JPM-dkv, 7/8/13. Fictionalized for dramatic effect.*

# Remote work allows us to land top talent and keep our people happy

■ *Staff all over the world can work wherever, whenever*

When our company first got started, we only had a team of three: two co-founders and one employee.

As we grew and needed to bring on more staff, we discovered that many top candidates didn't want to be tied to one office location.

Some promising candidates lived far away and didn't want to relocate. Others wanted the ability to work from wherever they might be at the moment, allowing for more travel opportunities.

That's when we realized that if we wanted the best talent, why not give them exactly what they want?

### Motivated, self-starters

Once we decided to have a completely remote workforce, we had an endless supply of talented candidates all over the world to choose from.

Besides expanding our talent pool, we had an enticing perk to offer prospective employees, which made recruiting significantly easier.

Of course, remote workforces have unique challenges, and we have to consider those when hiring.

For example, not every employee can handle not physically being in the office surrounded by co-workers.

We had to ensure anyone we hired would be comfortable with the set-up, and also effective without a manager constantly watching them, so during our interviews, we screened for skills such as a sense of personal responsibility and self-motivation.

There's always a level of trust involved when dealing with remote workers, but our attitude has always been, if you can't trust someone when they're working at home, how can

you be sure they're working while actually in the office?

Plenty of traditional, 9-5 employees spend a lot of their workday goofing off and killing time, anyway. Having people physically in the office doesn't guarantee more work gets done.

### Global perspectives

Recruiting isn't the only area in which remote work has helped us. Having employees located all over the world allows us to have people available 24/7.

Not to mention, staff with different cultural perspectives and knowledge help us operate better as a global company.

While working from home was what a lot of people wanted, some wanted to take it even a step further. So now, many of our employees are constantly traveling and work from wherever they happen to be.

### Happy people = good retention

Allowing our employees to work while they wander the world has given us such loyal, happy workers.

Our turnover rate is less than 10%, and most of our current employees have stayed with us from the start. No one ever needs to quit to explore a new place or take an extended trip.

This remote work philosophy has allowed our employees to go on adventures to Bali, Singapore and Peru, just to name a few.

Our company is able to find the best talent and hold onto them, all while taking advantage of everyone's different knowledge and perspectives.

*(Val Streif, head of marketing, GetMyBoat, San Francisco)*

**Case Study:**  
**WHAT**  
**WORKED,**  
**WHAT**  
**DIDN'T**

### ■ Problems with company culture? Start with hiring

Nowadays, impressive credentials alone aren't enough to make a great candidate. Perhaps more important is their ability to mesh well with your company and staff.

Unfortunately, predicting an applicant's future success with your company through just a few interviews is nearly impossible.

But mistakes during the hiring process are often costly. And in the case of a poor fit, your company could end up compromising more than just money.

### 3 crucial practices

Founder of RubiconMD Carlos Reines offers three hiring habits to ensure that your next hire won't be a total culture mismatch.

#### 1. Determine hiring metrics.

It's important to know what exactly your company's looking for in a candidate so you don't waste valuable interview time on unimportant topics. Clearly define the ideal candidate at the start of the hiring process. And don't just settle for the majority opinion – everyone should agree on the definition to ensure a fitting addition to the team.

2. **Keep a scoreboard.** Personal biases are one of the biggest obstacles to a good hire. Shiny credentials, for instance, can distract you from warning signs. Address this by scoring applicants on specific skills and criteria. That way, your hiring decision can be backed by objective numbers.

3. **Address all concerns.** When an applicant seems perfect except for one minor fault, it's tempting to just let it slide. However, that fault is sure to resurface in the future, possibly damaging workplace culture. If even one person on the hiring committee has reservations about a candidate, resolve them before you make any premature decisions.

**Info:** [bit.ly/hiring539](http://bit.ly/hiring539)

## WHAT WOULD YOU DO?

Companies face competing agendas when dealing with their employees. They must find ways to inspire their people to excel, while controlling costs and staying within the law. Here we present a challenging scenario and ask three executives to explain how they'd handle it.

### Staff's social media use is getting out of hand: Can HR stop the distractions?

#### The Scenario

After four hours of concentration, HR manager Stu Capper leaned back in his seat, finally finished with all the paperwork.

*You deserve a nice vacation*, he thought to himself, admiring the stack on his desk. *How much are flights nowadays? ...*

Employee Kelly Smith knocked on his door, breaking him out of his daydream.

"Enter!" Stu said, alarmed. "What's up?"

"I'm having a problem with some co-workers," said Kelly. "They're always goofing off, and that ends up distracting the people actually trying to work!"

#### Everyone sidetracked

Stu frowned. "How do you mean?"

"Every time I look up, Sam's looking at some girl's photos on Facebook," Kelly

huffed. "And don't even get me started on Lisa looking up vacation spots on Pinterest."

Stu cleared his throat, meekly exiting out of a flight comparison website.

"I understand how that could get annoying," said Stu. "But short breaks here and there are allowed. Maybe –"

"It's *not* 'here and there' though," Kelly interjected. "There have been times when I knew Sam had something important to do, but I can see his computer screen from my seat – I'm pretty sure the urgent assignment wasn't to go 'like' people's selfies."

"The worst part is, seeing that stuff throws *me* off even though I wasn't even the one getting sidetracked!"

"Sorry you have to deal with that," said Stu. "Just give me a little time to think of something, ok?"

*If you were Stu, what would you do next?*

instead look over our technology policies for areas that might need some clarification.

**Reason:** Because the nature of Kelly's complaint was somewhat personal, it's possible she exaggerated a few aspects. Fact-checking her story before taking any action will prevent the possibility of drama. But we also can't push all the blame on the employees if the policy wasn't clear.

#### 3 Shelena Hollinger, HR manager, Alfred Street Baptist Church, Alexandria, VA

**What Shelena would do:** I'd bring Kelly's issue to the attention of her supervisor and handle it together. If it were only up to me, I'd send out a broad policy reminder to the entire company without singling anyone out.

**Reason:** Some employees react poorly to discipline, especially when it pertains to their personal lives. A supervisor who's closer to the workers could tailor the solution to each person, reducing fallout. If that's not an option, a companywide reminder would still warn the relevant parties without ruffling any feathers.

#### QUOTES

The secret of genius is to carry the spirit of the child into old age, which means never losing your enthusiasm.

*Aldous Huxley*

You gain strength, courage and confidence by every experience in which you really stop to look fear in the face. You are able to say to yourself, 'I lived through this horror. I can take the next thing that comes along.'

*Eleanor Roosevelt*

Life is one big road with lots of signs. So when you're riding through the ruts, don't complicate your mind. Flee from hate, mischief and jealousy. Wake up and live.

*Bob Marley*

True friendship can afford true knowledge. It does not depend on darkness and ignorance.

*Henry David Thoreau*

You can control two things: your work ethic and your attitude about anything.

*Ali Krieger*

#### Reader Responses

##### 1 Gloria Tzintzun, HR manager, Sysco Sacramento Inc., Pleasant Grove, CA

**What Gloria would do:** I'd bring Sam and Lisa into my office to go over company policy on technology usage. I'd make sure to also draw a distinction between personal and work time. After, I'd make an effort to walk by their desks every so often.

**Reason:** Technology's so deeply embedded in our lives *and* the workplace that some people don't even realize it can be inappropriate in certain situations. A formal breakdown of the rules will remind them that they're not just using their devices like they usually do – they're breaking policy.

##### 2 Kerri Hartman, HR director, Florida Association of Realtors, Orlando, FL

**What Kerri would do:** First, I'd ask Sam and Lisa's supervisor if he noticed any changes in performance. If he did, I'd discipline the employees per company policy. If not, I'd hold off on disciplining them and