

# HOT SHEET

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Full-Circle HR



## HR Trends:

- The National Labor Relations Board is examining its protection of unfettered language during union activity if the language could be considered profane or racial epithets.
- California recently became the first state to ban workplace discrimination based on hairstyle; New York quickly followed suit; New Jersey considered similar legislation.
- According to a recent poll, despite record low unemployment, over half of the workforce fears they will lose their jobs due to real or rumored layoffs, or an imminent recession.
- Q1 and Q2 reporting for Washington Paid Family & Medical Leave (WPFML) remains open through 9/30; Q3 begins 10/1; no payroll, no reporting required; and FAQs about reporting issues can be found at [WPFML FAQs](#).
- SHRM reports that the American Psychiatric Association found that 62% of Millennials are comfortable discussing mental health issues as opposed to 32% of Baby Boomers.
- Untreated mental health issues are estimated to cost employers \$44 billion/year.

## Effective Leadership Decisions

While people make thousands of decisions on a daily basis that have little lasting impact, leaders of organizations continually make decisions that impact the lives of everyone in their organization and other stakeholders as well. So it's important for leaders to hone their decision-making skills. Additionally, they are making different kinds of decisions that may require a different style of decision-making.

No matter the style you choose, according to educator Marie Hansen, "leaders who remain transparent in the manner in which they make decisions and why they choose different styles, dependent on the type of decision, are

able to build trust and respect." The most common styles of decision-making are: **Directive**—the quickest way to make decision, where a leader uses his/her own knowledge and experience to make a decision without seeking input. The downside is that the leader may not have the full picture and the long-term ramifications may not be fully considered. **Conceptual**—The leader seeks ideas from team members, which encourages innovation and is greatly suited to long-term projects and planning. **Analytical**—This style means the leader relies on direct observation, facts, and data and may or may not include the perspectives of others. **Behavioral**—The leader

collaborates with others on options and is highly influenced by their feelings and opinions. If a consensus cannot be reached it may then require inclusion of another style to make the final decision.

Key steps to include in your decision-making are: 1. Set a deadline to help avoid procrastination; 2. Create a list of many options. This helps remove fear about what you might be missing; 3. Consider the worst case scenario. If you can live with it or create contingency plans around it, it helps you build confidence in your decision. 4. Determine a set of guidelines that are important to you and follow them. 5. Under-

stand that if you don't take action, this is a form of decision. And sometimes it can be the best choice. Always review the legal ramifications before you make a final decision; snap decisions are more likely to lead to lawsuits. Don't let fear paralyze you. When your heart, brain and gut tell you that you can be about 80% sure, then make the decision. On the other hand, watch for baseless overconfidence. If you do not include other opinions, eventually staff will begin to believe their opinions are not wanted and this will stifle innovation, trust, and team buy-in to the decisions you make.

*Our greatest ability as human beings is not to change the world, but to change ourselves.—Mahatma Gandhi*

## Gossip, Bullying and Harassment

Gossip and bullying behaviors are tough issues to deal with in the workplace. A 2017 survey by the Workplace Bullying Institute estimates that 61% of U.S. employees are aware of abusive conduct in the workplace. Further, 19% have experienced it and another 19% have witnessed it directly.

While gossip is not necessarily an illegal activity, it can turn into a form of defamation, bullying, or harassment and these can potentially lead to legal claims. While many of these behaviors are not illegal, an employer can go a long way toward preventing them by modeling the desired behavior, having a good policy, and enforcing that policy. So, it's important to write policies and set a tone in your culture that

not only discourages these behaviors, but fosters direct and respectful communication. When writing these policies, assure that they are specific. If they are overly broad they may cross the line into prohibiting workers from talking about employment conditions such as wages, hours workplace conditions etc.—a right that is protected by the National Labor Relations Act. An example of being specific is defining gossip as overly negative criticism or conjecture that can harm another's credibility or reputation. Bullying can be defined as unwelcome behavior experienced over a period of time that is meant to harm or impair someone who is powerless to respond. If this behavior is directed generally at everyone, rather than at

someone or a group that is in a protected class under federal or state law, it is not legally actionable. However, legislatures in 29 states have introduced workplace bullying bills that are meant to protect employees who have suffered severe mental or physical harm due to bullying, even when not based on a protected class.

One employment attorney suggests the following steps for employers who want to address these issues: 1. Conduct a climate survey in your organization and then use the information gathered to shape your policies specifically for your needs. 2. Adopt clearly written policies and expectations regarding malicious rumors/gossip, civility, and bullying. Once you have written these policies, it is incumbent upon leaders in the organization

to walk the talk and to not stand silently by when others engage in these behaviors. 3. Foster a culture that embraces and prioritizes diversity and inclusion. 4. Conduct bystander intervention training. Empowering all employees in this way helps create a sense of collective responsibility for eliminating these behaviors. 5. Conduct workplace civility training. This will promote respect and trust among all staff and, as a by-product, boost creativity and contribution at all levels of the organization. 6. Establish a clear procedure for reporting incidents of these behaviors. 7. Maintain confidentiality, as reasonably as possible, when investigating these reports. Take a firm stand against any retaliation against those who make reports.