

EMPLOYEE AND LABOR RELATIONS

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We Need to Talk

Ten Scenarios to Practice Handling Needed Conversations

By Douglas Crawford, Ph.D.

PROJECT TEAM

Project leader: Douglas Crawford, Ph.D.
Project contributor: Nancy A. Woolever, SPHR
External contributor: Sharon H. Leonard
Editor: Courtney J. Cornelius, copy editor
Design: Kellyn Lombardi, graphic designer
Production: Bonnie Claggett, production/traffic specialist

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SHRM Academic Initiatives
1800 Duke Street, Alexandria, VA 22314, USA
Phone: (800) 283-7476 Fax: (703) 535-6432
Web: www.shrm.org/hreducation

Case Abstract

Ten scenarios allow students to practice addressing employee issues ranging from suspected employee theft to personal hygiene. Students are asked to first assume the role of a manager and confront the employee on sensitive issues that frequently occur in the workplace, and then to assume the role of an HR manager and identify the HR implications in the scenario. The scenarios challenge students to think on their feet, exercise judgment, and render a decision toward successful resolution. There is no separate student workbook; the instructor will distribute roles with details and information to the students as the group role plays each scenario.

AUDIENCE

Undergraduate students

CASE TYPE

Structured exercise

DIFFICULTY LEVEL

Moderate

IDEAL CLASS SIZE

16-30 students

TIME REQUIRED

50-90 minutes

LEARNING OBJECTIVES

These scenarios expose students to common workplace issues that have significant HR implications and which managers and supervisors are often reluctant to confront. By participating in these scenarios, students will be able to:

- Structure a conversation with an employee based on communication heuristics.
- Lead discussions with employees on sensitive workplace issues.
- Use various interpersonal communication skills and incorporate them into existing skills.
- Identify specific HR issues and provide advice to general managers dealing with the employee-related issues.
- Improve their self-efficacy as a manager and as an HR professional who provides advice on workplace-related issues.

PHYSICAL SETTING AND CLASSROOM PREPARATION

1. Set up a circle of chairs, and another circle of chairs inside it. Turn the chairs on the inner circle to face those on the outer circle so that students will have a partner for the exercise.
2. Make copies of the scenario sheet and cut into strips so there are enough individual scenarios to share in each round with all class members.

CONDUCTING THE SCENARIOS

1. Have students sit in the circles of chairs and face the student directly across from them.
2. Explain that the purpose of this exercise is to simulate the daily employee-related issues that confront managers and supervisors; a good manager will quickly address issues as they occur rather than ignore them. This exercise requires students to think on their feet and quickly become comfortable with employee confrontation.

3. Plan on 8 to 10 minutes per round. You may want to prioritize the scenarios in case you run out of time.
4. Provide an overview of the exercise as detailed in the Introduction in the **teaching notes** (Employees and Workplace Issue Discussions).
5. Distribute the first scenario. Have students in the inner circle assume the role of supervisor, and students in the outer circle assume the role of employee. (In the next round, the inner circle will play the role of employee and the outer circle will play the role of supervisor, alternating roles each subsequent round.)
6. Provide 1 minute for everyone to read the scenario and think of an approach. Encourage the students acting as employees to be true to the role and react as if the scenario personally affects them; it is fine be a little resistant to the supervisor's message.
7. Give students 2-3 minutes to engage in the supervisor-employee dialogue. Time allotted for each scenario will depend on the amount of class time available and the depth of the conversation you wish to achieve. If you allow just 2 minutes for the discussion, it will put more pressure on the supervisor to push for a resolution to the problem. Allowing 3 or more minutes for each conversation usually results in more specific agreement and a greater feeling of satisfaction for both parties. The instructor may want to vary the time allowed on different scenarios and explore with students the effect of time restraints on conversation.
8. At the end of each dialogue round, ask the questions as outlined in the teaching notes (Scenario Debrief questions).
9. Move on to the next dialogue round. Have students in the outer circle move clockwise one chair to create new dialogue partners for the each round.

EMPLOYEE RELATIONS SCENARIOS

Instructors: copy these scenarios, clip them apart and distribute them to students who will role play each scenario.

1. You are a supervisor in a warehousing operation. You recently instituted a “No Smoking” policy in the facility. All employees were notified of the policy change. It was not well-received. As you walk down aisle B in the warehouse, you see a cloud of smoke and then see Chris running to aisle A. You need to talk to Chris.
2. You are an office manager overseeing a department of 25 people. One of your employees comes to you and complains about Pat’s unpleasant body odor and how difficult it is to work in the same area. You agree to talk to Pat.
3. You are the sales department manager at an upscale store. Your boss has talked to you about the appearance of some of your sales clerks—particularly Alex. Alex is sporting on his forearm a new, large tattoo of a devil eating a rat. You agree with your boss that some customers might find it offensive and that it should somehow be covered up. You need to talk to Alex.
4. Sidney has recently been missing work. She tends to call in at the last minute, and there seems to be a pattern developing of Mondays and Fridays. Sidney has been in rehabilitation in the past for alcohol abuse. You need to talk to Sidney.
5. You are a project manager and supervise a team of 11 people. It is near Christmas, and you notice that within one day the office supply cabinet has been conspicuously depleted of tape, scissors, and packing materials. Other than you, the administrative assistant, Lesley, is the only one with the key to the cabinet. You need to talk to Lesley.
6. You are the director of human resources. You asked your benefits administrator, Morgan, to immediately send new benefit information to your boss for her review. The next day, you are chewed out by your boss for not sending her the information. You look bad. You decide to talk to Morgan.

7. You are the vice president of finance. Your administrative assistant, Ryan, is often late getting to work. You have tolerated it for the past year, but your workload has increased and you need all the help you can get, especially at the start of the day. With Ryan coming in late, it is starting to affect your ability to get your job done. You need to talk to Ryan.
8. You are an accounting manager, and the business relies on your department to produce accurate financial reports the end of each month. Your department uses Excel. Last month, you hired a new accountant, Taylor, who claimed to be proficient in Excel. However, co-workers have come to you with complaints about Taylor's work and questioning his abilities. You need to talk to Taylor.
9. You are a payroll manager supervising 25 people. Your team works in close quarters with little physical separation between work stations. Drew is one of your best performers, yet you have received complaints that Drew tends to sprinkle conversations with rather crude and vulgar references. This is not a team of saints, but some have complained that Drew is crossing the line. You need to talk to Drew.
10. You are a marketing director supervising 18 professionals and support staff. The nature of the work requires a collaborative environment where the professionals give work direction to the support staff. A professional on your team, Dana, has started dating a person on the support staff. Although there is no policy prohibiting dating, several co-workers have complained about the two being too affectionate at work. Some also indicate there is preferential treatment for Dana's newfound love interest. You need to talk to Dana.

TEACHING NOTES

Introduction: Employees and workplace issue discussions

The following section provides further background to help instructors introduce the scenarios to the class. (See *Conducting the Scenarios*.)

- The goal of the discussion with the employee is to confront an issue before it affects the work environment or the employee's overall work performance. A manager's or supervisor's role is to establish and maintain performance norms in the workplace. Before taking any action, the supervisor should investigate the issue to see if a real problem exists. In these scenarios, the assumption is that the supervisor has already confirmed the situation or behavior that is described.
- Timely and thoughtful feedback from the boss helps the employee know the supervisor's expectations and what is considered acceptable behavior. Some supervisors find it difficult to confront others, or let other work distract them from this task. This exercise provides an opportunity to practice and become comfortable with confronting behavioral issues in the workplace.
- Leadership presence – Work with students playing the supervisor's role on how they present themselves physically when leading discussions. Their body language must be that of a leader. Do students convey this persona? At the end of each of the first two scenarios, ask the “employees” to provide feedback to the “supervisors”.
 1. What is the tone of voice being used? Is it calm? Firm? Listen to see if the supervisor sounds apologetic. If so, this may alter the effectiveness of the message (e.g., the employee might doubt the supervisor is really serious).
 2. What is the physical posture? Sitting up straight? Shoulders square with the employee, not turning away?
 3. What is the level of eye contact? Is the supervisor looking directly at the employee or looking elsewhere? Many people avoid eye contact when confronting others or delivering an uncomfortable message.
 4. What is the level of engagement? Does the supervisor want to be there? Is he or she distracted, or engaged in the conversation with the employee?

■ The meeting outline – Providing employees with effective feedback should not take a lot of time. It is important that managers are brief and concise in the message. Below is the suggested outline for confronting employees on workplace issues. The example is that of the smoking violation.

1. Purpose of meeting – Avoid superfluous questions or chatty conversation about the weather and get right to the point. “Chris, I have requested this meeting to talk to you about our smoking policy.”
2. Describe the behavior – “You were smoking in the warehouse today, and that is against our workplace rules.”
 - a. Listen to the reaction – Does the employee confess to the violation, or does he or she only offer up excuses? What other information do you hear?

Possible Employee Reaction	Manager Response
Straight denial – “I didn’t do it.”	“I saw you smoking in the warehouse today. The purpose of this meeting is to make you aware it is unacceptable and it shouldn’t happen again.”
Diversion to others – “Jill does it all the time and never gets in trouble!”	“We are not here to talk about others’ behavior. We are here to talk about what you are doing and what needs to change.”
Avoid responsibility – “Wow, nobody told me about the rule.”	“Well, now that you know, I expect you to follow the rule going forward.”
Accepts responsibility – “I did it.”	“Thanks for being honest with me.”

3. Agree on resolution – Set the expectation for the employee. “Chris, it is against our work rules to smoke inside. I expect you to abide by our policy and never smoke inside again. If you break this rule in the future, you may be subject to further disciplinary action, up to and including termination. I’m sure you don’t want that to happen. Can you agree that you will abide by the smoking policy?”
4. Document the discussion – As Chris’s manager, you should document the discussion and the agreement that resulted.

Other tips for the meeting

1. Be clear with the employee that you want to hear his or her explanation. Questions like the following will help facilitate the conversation:
 - Why did you break the rules?
 - Why are you not performing up to standards?
 - Do you want to improve?
 - Do you think you can be successful?
 - How can I, as your manager, help you to succeed?
2. The focus of the meeting is not punishment. It is on communication and collaborative problem solving. Ask yourself, “Am I coming across as a parent scolding a child, or is the meeting about two adults trying to solve a work problem?” What has the employee learned about job expectations as a result of this meeting?
3. Managers should reinforce the desired behavior with a follow-up meeting. If the employee has improved his or her performance, this is a great opportunity to reinforce the good behavior and provide the proper recognition for the employee’s effort. If the employee is still struggling, then the follow-up provides the opportunity to re-assess the agreed improvement strategy with the employee.

SCENARIO DEBRIEF QUESTIONS

At the end of each scenario dialogue round, ask students the following questions:

1. In this particular scenario, what was the challenge facing the supervisor?
2. I want to hear from the supervisors. What was your strategy going into the meeting? How did you plan on approaching this?
3. As a supervisor, what seemed to work and what didn’t?
4. As an employee, how did you feel? What worked for you?
5. As an HR professional, what advice would you give the supervisor before his or her conversation with the employee?
6. What potential HR issues are there in this scenario?
7. Are there any legal implications in terms of laws or regulations?

SCENARIOS WITH CASES & COMMENTARY

1. You are a supervisor in a warehousing operation. You recently instituted a “No Smoking” policy in the facility. All employees were notified of the policy change. It was not well-received. As you walk down aisle B in the warehouse, you see a cloud of smoke and then see Chris running to aisle A. You need to talk to Chris.

Comments:

This is a good opening scenario because it is straightforward. The policy was communicated. Chris should be reminded of the rule and made aware of the consequences if she or he continues to break the rule. Work rules must be communicated, including the consequences of breaking the rules. As an HR professional advising managers about implementing work rules, ask the questions: Does this rule have a business justification? Does it have an adverse impact on workers who fall into protected classes under anti-discrimination laws? Will we be able to enforce it? Is it worth the potential adverse reaction you may receive from employees?

2. You are an office manager overseeing a department of 25 people. One of your employees comes to you and complains about Pat’s unpleasant body odor and how difficult it is to work in the same area. You agree to talk to Pat.

Comments:

This is one of the most uncomfortable tasks for a manager. After you investigate to see if it really is a problem, meet with the employee. It is best addressed as any other performance problem. Be specific yet compassionate. Set your expectations. HR professionals should make managers aware that if he or she suggests to the employee that it may be a medical problem, this may lead to possible ADA implications. Always let the employee declare if they are having a medical problem. Managers are not qualified to make a medical diagnosis. If the employee states that it is a medical problem, ask for medical verification and then make reasonable accommodations for this person. (Cossack, 2003.)

3. You are the sales department manager at an upscale store. Your boss has talked to you about the appearance of some of your sales clerks—particularly Alex. Alex is sporting on his forearm a new, large tattoo of a devil eating a rat. You agree with your boss that some customers might find it offensive and that it should somehow be covered up. You need to talk to Alex.

Comments:

It is common to have dress codes in jobs that deal directly with the public. How uniform has the application of dress codes been in your workplace? Are you targeting certain people and not enforcing it with others? HR professionals should be aware that an employee may have dress requirements associated with a religious practice. In *EEOC vs. Red Robin Gourmet Burgers Inc.*, an exception was made for a religious tattoo and the employee was not required to cover it up (Hastings, 2006). Courts have sided with workplace dress codes based on gender differences. In *Jespersen vs. Harrah's* (444 F.3d 1104), the court ruled that differences in workplace grooming and appearance standards for men and women did not constitute sexual discrimination. Harrah's Casino successfully argued that there was a business need for women to wear make-up and to adhere to grooming standards different than the standards set for men employees.

4. Sidney has recently been missing work. She tends to call in at the last minute, and there seems to be a pattern developing of Mondays and Fridays. Sidney has been in rehabilitation in the past for alcohol abuse. You need to talk to Sidney.

Comments:

Sidney has an attendance problem and is unreliable. Just because Sidney has a history of substance abuse does not mean this is the reason for the current poor attendance. The manager should address the attendance problem with Sidney and avoid playing the role of a substance abuse counselor. Only if Sidney raises the issue should it be addressed. As a recovering alcoholic, Sidney may be protected by the ADA (DeIpo & Guerin, 2005). HR professionals should make sure there is a substance abuse policy in place, that it is communicated, that supervisors and managers are educated about the policy, and that it is applied consistently.

5. You are a project manager and supervise a team of 11 people. It is near Christmas, and you notice that within one day the office supply cabinet has been conspicuously depleted of tape, scissors, and packing materials. Other than you, the administrative assistant, Lesley, is the only one with the key to the cabinet. You need to talk to Lesley.

Comments:

The manager has the discussion with Lesley and tells her not to take company property for personal use. This case can lead to an HR policy discussion on the proper level of discipline for theft of company property. Some companies have a zero tolerance rule; any theft is grounds for immediate termination. Others have a progressive discipline for minor theft and immediate termination for more egregious violations. Should it be a common practice to allow employees to use office supplies? (DelPo & Guerin, 2005.)

6. You are the director of human resources. You asked your benefits administrator, Morgan, to immediately send new benefit information to your boss for her review. The next day, you are chewed out by your boss for not sending her the information. You look bad. You decide to talk to Morgan.

Comments:

We often rely on others to get work done. When others fail, it makes you look bad. This can be a very emotional discussion because it may reflect on your ability to deliver work requests. As a manager, you will need to address the lack of follow-through. How do you control your emotions in these situations? Focus on your body language. What words did you choose? What was your tone of voice? How would you describe your eye contact? To delve into the HR implications, ask: How often does Morgan not complete tasks? Is this just a one-time event? Did Morgan have the skills to complete the task? Should this event trigger a formal discipline process? Is there a systemic issue that needs to be addressed by HR?

7. You are the vice president of finance. Your administrative assistant, Ryan, is often late getting to work. You have tolerated it for the past year but your work load has increased and you need all the help you can get, especially at the start of the day. With Ryan coming in late, it is starting to affect your ability to get your job done. You need to talk to Ryan.

Comments:

Work situations change over time. In this case, Ryan may resist changing her/his ways. By tolerating the tardiness in the past, you condoned Ryan's behavior. Rather than disciplining Ryan for coming late to work, she/he needs to be informed that there are new work rules going forward. Additional HR implications may focus on the degree of flexibility you want to create in the workplace. How much latitude should managers or employees have in determining work hours?

8. You are an accounting manager, and the business relies on your department to produce accurate financial reports the end of each month. Your department uses Excel. Last month, you hired a new accountant, Taylor, who claimed to be proficient in Excel. However, co-workers have come to you with complaints about Taylor's work and questioning her/his abilities. You need to talk to Taylor.

Comments:

This is an issue about skill proficiency. Taylor may have been honest in her/his own skills assessment during the interview and was unaware of your expectations for the job. Taylor may have also lied altogether about her/his skills. HR advice to the manager: It may be easier as a manager to address the skill deficiencies than to conduct an investigation into her/his credentials. What is the level of skill required for the job? Where are the deficiencies? How much time and support are you willing to give Taylor to improve her/his performance? Can training address the deficiencies? How will you know when she/he is performing at the proper level? Is she/he committed to improving her/his performance? (DePo & Guerin, 2005.)

9. You are a payroll manager supervising 25 people. Your team works in close quarters with little physical separation between work stations. Drew is one of your best performers, yet you have received complaints that Drew tends to sprinkle conversations with rather crude and vulgar references. This is not a team of saints, but some have complained that Drew is crossing the line. You need to talk to Drew.

Comments:

Under the Civil Rights Act, employers are obligated to prevent a hostile work environment. A hostile work environment exists when an employee's behavior is pervasive or so severe that it changes the working conditions (Twomey, 2007). In many workplaces, the use of vulgarities and crude language is commonplace. In this case, employees have complained about the behavior. The manager is obligated to address it. As an HR professional, how would you advise the manager on this topic? At what level should a manager allow this behavior? A study conducted in England suggests that "social swearing" among co-workers reduces stress in the workplace (Baruch & Jenkins, 2007). What is an acceptable standard? Should it change just based on the tolerance and practices of people currently in the work area?

10. You are a marketing director supervising 18 professionals and support staff. The nature of the work requires a collaborative environment where the professionals give work direction to the support staff. A professional on your team, Dana, has started dating a person on the support staff. Although there is no policy prohibiting dating, several co-workers have complained about the two being too affectionate at work. Some also indicate there is preferential treatment for Dana's newfound love interest. You need to talk to Dana.

Comments:

In this scenario, there is no policy against employees dating. What can you say to Dana? Managers should be cautioned that this case may constitute "sexual favoritism" and provides a basis for a hostile work environment. The California Supreme Court, referencing the EEOC regulations, suggests that sexual favoritism conveys to all employees that promotion and preferential treatment is awarded through sexual relations with the boss. Although Dana is not a manager, there is an opportunity to ration out work assignments. How does a manager deal with this situation? This raises questions on HR policies regarding dating in the workplace. Should a company allow dating in the workplace? If so, should there be any restrictions? At what point does a social relationship or friendship become dating? (Walsh, 2007.)

VARIATIONS FOR CLASSROOM DELIVERY

There are several variations you may use to accommodate time constraints and class size. The number of scenarios provided gives the facilitator significant classroom flexibility.

- **Less than 50 minutes** – Plan on 8 to 10 minutes per case. That will include 1 minute for students to read the case, 2-3 minutes to conduct the employee/employer discussion, and 5 minutes to lead the discussion or debrief.
- **Fewer scenarios and progressive discipline up to termination** – The facilitator may use fewer scenarios as part of a lesson in progressive discipline. Explore the HR implications of the issue moving to further disciplinary action. As an HR professional, how would you advise the general manager at each step of the disciplinary process? As previously outlined in this exercise, the first conversation would be step one in most progressive discipline processes. Next, the facilitator, staying with the same scenario, informs students that the employee continues to engage in the unacceptable behavior. Feel free to use a little drama. Conduct the second step of the progressive discipline process (usually a written warning). This would continue until all steps of the progressive discipline process are covered, up to termination of the employee. As an HR professional, how would you advise the general manager on this particular termination case? What actions should the manager take for you (as an HR professional) to feel assured that the termination is defensible? This variation provides the student the experience of dealing with a discipline problem through the entire process, from the views of both the manager and the HR professional.
- **Large class size** – Where there is a large class or limitations on the suggested seating arrangements, divide the class into two groups (Group A and Group B, for example). Instead of being seated, students will move about the classroom. Distribute the scenario to all students. Instruct a B to find an A, with B playing the role of manager, and engage in the discussion. Rotate the assignment between A and B and have them find new partners as you distribute more scenarios.

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Alexandria, VA 22314-3499