
LEARNING WORKS FOR ALL OF US

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HARASSMENT OR CONFLICT? THAT IS THE QUESTION

An angry employee comes to you because she is being harassed by her supervisor. She says the supervisor humiliates her in front of co-workers and she wants to file a harassment complaint against him. A male employee asks to speak with you. A co-worker has been sending him and other staff e-mails that he thinks are inappropriate because of their racial and sexual content. He is offended and wants you to do something about the situation. What do you do? How do you tell if employees are upset because they are being harassed or because they are in conflict?

Whether harassed or in conflict, people experience similar symptoms. They lose or gain weight, can't sleep or sleep too much, have poor physical and emotional health. They become withdrawn, have higher absentee rates and are less effective on the job. These people need help regardless of the source of their problem. Here are four steps to guide you through your initial interview with the employee:

- Take the employee's concerns seriously.
- Determine as many details as possible about the events that prompted the employee to come to you.
- Find out from the employee what actions s/he has already taken to resolve the situation.
- Review the appropriate avenues for resolution with the employee.

Take the Concerns Seriously

Before you interview the employee, ensure you have enough uninterrupted time to listen to this person's concerns. If the employee arrives at your door when you know you have a meeting in ten minutes, make another time as soon as possible to meet with the employee.

If you do have time, make sure you close your door, forward your calls and do whatever else you can to demonstrate that you take the employee's concerns seriously.

If you are the only person in your organization designated to conduct internal harassment investigations, you may want to direct the employee to another person so you will not be viewed as an advocate for the employee if the situation does not get resolved at an informal level.

Determine the Details

Ask the employee to start from the beginning and tell you as much detail as possible about the situation. You may want to ask questions to direct the employee. How would you describe your relationship with your supervisor/co-worker? When did the problems begin? What did the supervisor say to you? How many e-mails did you receive? What exactly was said? You may want to take notes unless note taking is in contravention of collective agreement language or employer policies. At a minimum, document whatever actions you take as a result of your discussion with the employee.

What the Employee Has Already Done

An important part of your role is to determine which options the employee has already explored. Has the employee spoken or written to the person s/he is having a problem with? If so, what was the outcome? If not, is this option a possibility and is there anything you or anyone else can do to help? Has the employee sought help or advice from anyone else in the organization (union representative, co-worker, supervisor, human resource person, employee assistance programme, etc.)? If so, what was the result of that exchange? If not, is the employee willing to talk to any of those people?

Review Appropriate Avenues of Resolution

Now that you have a clearer idea what the problem is and what the employee has already done to resolve the situation, you are in a better position to know if you are dealing with harassment or conflict. If the details of the issue pertain to a protected ground in the relevant human rights language or fit an extended definition of harassment such as abuse of authority, you may have a complaint that fits the definition of harassment. You can then give the employee information about the complaint avenues in your collective agreement or employer's harassment policy.

If, in your opinion, the facts as stated do not meet the criteria for harassment, you still have two people in conflict. Some organizations have conflict resolution policies. Most do not. Mediation is one effective process for resolving conflict and harassment. Other conflict-resolving processes such as Conciliation, Alternate Dispute Resolution and Dialoguing have also produced successful results. Get information on all of these options

so that your employees have the resources they need to become fully-functioning, productive and healthy employees.

NEW WORKSHOPS

Harassment or Conflict: That is the Question

This one-day workshop is aimed at managers and human resource people. The session explores the skills needed to effectively deal with employees who feel they are being harassed and employees who are in conflict.

Facilitating Difficult Meetings

Just because a group of people work together or have come together for a common cause does not mean they will get along with one another. If you find yourself facilitating a meeting with a diverse group of people, you might be interested in this one-day workshop.

How Coaching Helps You Manage

When employees come to you with questions they often already know the answers. By using basic coaching techniques you will help them uncover those answers and increase their level of confidence.

LEARNINGWORKS' LOWDOWN

Louise was a guest of B.C. Public School Employers' Association on March 20, 2003 for an audio conference on sexual harassment. Lancaster House in Toronto coordinated the conference which had two human rights lawyers as speakers. The discussion included the parameters of sexual harassment, the appropriate discipline for those who engage in sexual harassment, the obligation of unions representing both parties and the overlap of human rights law with Employment Insurance, Workers' Compensation and Labour Law.

Jane and Louise will be attending the first Annual B.C. Symposium on Conflict Resolution on April 25, 2003 in Vancouver. One of the workshop leaders is Michelle LeBaron, whose book "Bridging Troubled Waters" was reviewed by Jane in a past newsletter. If you are interested in attending, call 604-822-9375.

Betty is facilitating a session entitled "Moving Work Sites to Workplace Harmony: Normalizing Your Workplace After a Harassment Investigation" as part of a two-day conference in Vancouver on June 24 and 25, 2003. The conference is titled "Minimizing Workplace Harassment, Discrimination and Violence." You can register or get more information by calling 1-800-474-4829.

Diane Fru, a long-time associate of LearningWorks, is using a catchy book entitled "The Question Behind the Question" in many of her workshops. The book is easy to read and focuses on practising personal accountability in business and in life. For copies or to learn more, call Diane at 604-533-6239.

Next Breakfast Meeting

For those of you in the Vancouver area, our next breakfast meeting is on April 24, 2003. This is a time for us to meet and share ideas. Please join us at 8:00 a.m. at:

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HAPPY EASTER TO ALL FROM LEARNINGWORKS!



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