Supervisory Training





WORKSHOP OBJECTIVES Why We Are Here



SECTIONS:

- 1. Workplace Civility and Respect
- 2. Tackling Unconscious Bias
- 3. Disability Etiquette and Reasonable Accommodations



Civility Training Can Create Culture Change & Prevent Harassment

- Equal Employment Opportunity Commission (EEOC)
 Taskforce Findings: traditional "compliance" harassment prevention training is not always effective
- "Respect & Civility" Training is key to preventing harassment
 - Focused on creating a civil and respectful workplace for all
 - Increases self-awareness of respectful behavior
 - Provides skills to control your actions and reactions to people and situations

Defining Civility

Civility is formal politeness and courtesy in behavior and speech.

- Respect
- Restraint
- Consideration



Civil Behavior

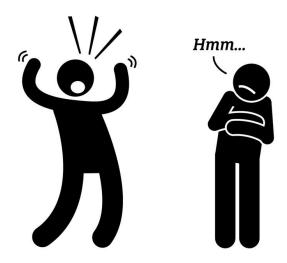
- Politeness
- Respect
- Morality
- Connection
- Accountability
- Assertiveness

- The Platinum Rule
- Manners
- Tolerance
- Self-Restraint
- Focus
- Quality of Life



Defining Uncivil Behavior

The intended or unintended behavior that leads to an offensive interpretation by the receivers or observers.





Contributors to Incivility

- "Hot" temperament
- Inflexibility
- Passive aggression
- Hurt feelings/ personal insecurities
- Intolerance of individual differences
- Acceptance of disrespectful behavior

- Long hours/overwork
- Workplace stress
- Authoritarian management style
- Inconsistent supervision
- No conflict resolution process/training
- Fear of change



Incivility Spectrum*

Offensive Unintentional Incivility	Offensive Intentional Incivility	Offensive Illegal & Intentional Incivility
Being late to meetings Talking loudly to others over cubicles or in the hall Not listening Interrupting Not using common courtesy, such as holding the door Not saying hello, please, thank you Walking by someone without acknowledging them Gossiping Complaining Inappropriate humor Staring Using profanity	Patronizing Ignoring requests Shunning Intimidation Threats Withholding vital info Manipulation Bullying Yelling Making belittling or rude comments Cursing at someone Humiliating someone	Racism Sexual harassment Discrimination Fraud Assault/Battery
*excerpt from Laura Barclay;	Also in "The Power of Civility" book.	8

EFFECTIVELY NAVIGATING UNCIVIL WORKPLACE SITUATIONS





HARASSMENT IMPLEMENTING ORDER (10 7–45)

IO 7-45 establish operating methods, administrative procedures, and/or delineates organizational responsibilities for identified procedures.

Statement of Policy:

The policy of Miami-Dade County is to ensure that all employees are able to enjoy a work environment free from all forms of discrimination, including harassment, on the basis of race, sex, color, national origin, religion, retaliation, age, disability, ancestry, marital status, pregnancy, sexual orientation, gender identity or expression, status as a victim of domestic violence, or the exercise of their constitutional or statutory rights.



OFF-SITE LOCATIONS COVERED

The policy extends to conduct that occurs at any location that could be reasonably regarded as an extension of the workplace:

- Field locations
- ☑ Training conference
- Vehicle
- Or any other location or facility where county government business is being conducted



PERSONAL USE OF SOCIAL MEDIA

Inappropriate, discriminatory or harassing posts or communication on personal social media constitute a violation of IO 7-45

- ▼ Facebook
- ☑ Twitter
- ✓ Instagram
- **☑** Tik Tok
- LinkedIn







and more...



BYSTANDER REPORTING ENCOURAGED

Any employee who witness discriminatory, harassing or retaliatory conduct is **strongly encouraged** to report

REMEMBER – if you are a supervisor, reporting is

MANDATORY





Harassment

Definition of Harassment:

 Unwanted, unwelcomed and uninvited behavior that demeans, threatens or offends the victim and results in a hostile environment for the victim.



Harassing Behavior

Verbal

- Derogatory or degrading comments
- Abusive language directed at a person because he or she belongs to a protected class
- Crude or meanspirited jokes
- Comments about a person's body or personal life

Physical

- Assault
- Unwanted touching or intentional bumping
- Restraining or blocking a person's movement
- Crude gestures, leering or winking
- Stalking

Visual

- Display of posters or cartoons regarding race, religion, sexual conduct, etc.
- Inappropriate material from magazines, etc.
- Offensive "gifts"



Unwelcome Behavior

...is behavior that a person doesn't ask for and considers undesirable or offensive ...not everyone has the same perception of what is undesirable or offensive

...what's okay for some people isn't okay for others ...whenever possible, the alleged harasser should be advised of his/her unwelcome behavior



EMPLOYEE AND DEPARTMENT RESPONSIBILITIES

Think before you act...model respectful, professional conduct

If you become aware that you have offended someone

- Start with an apology
- Stop the offensive behavior immediately

If you are a victim of or witness harassment, take steps to stop it

- ☑ Understand the County's policy
- Report the conduct to Supervisor/ Manager/ DPR/ Fair Employment Practices Liaison or HRFEP



REPORTING HARASSMENT

If you experience (or witness) harassment:

- ☑ Tell the harasser their actions are offensive and ask him or her to stop
- If they don't, report it
- File a complaint
- ☑ Investigations are discrete and confidential
- ☑ Prompt and effective steps will be taken to stop the harassment
- ☑ Depending on the circumstances, corrective actions may be taken



MIAMI DADE COMMISSION ON HUMAN RIGHTS

SCAN HERE TO FILE A COMPLAINT



You can also contact our office at (305) 375-2784



KEY TAKE AWAYS

- Uncivil and disrespectful conduct are often the gateway to illegal, harassing behavior in the workplace
- Harassment is illegal, disrespectful, and bad for business
- Harassers can be managers, coworkers, and non-employees
- Harassers and victims can be male or female, of the same or opposite sex
- Harassment can happen inside work, outside work, and via electronic communication (text, email, social media)
- It is everyone's responsibility to refrain from harassing behavior and promptly report inappropriate behavior

Think before you act...



TRAINING

Through our workshops, you can become an advocate for yourself and others, fostering a community that respects and celebrates diversity.

- Anti-Bullying
- Combating Religious Discrimination
- Disability Etiquette
- Civility & Respect

- ▼ Tackling Racial Bias
- Preventing Sexual Harassment
- Tackling Unconcious Bias
 - **Bystander Intervention**





Tackling Unconscious Bias



Identify and prevent unconscious Biases

Understand the negative impact that bias has on the workplace

Reduce bias in the workplace

Key take aways



Identification

STEREOTYPING

Is an over-generalized belief about a particular category of people. Stereotypes are generalized because one assumes that the stereotype is true for each individual person in the category

<u>BIAS</u>

Prejudice in favor of or against one thing, person, or group compared with another, usually in a way considered to be unfair

There are two types of bias:
 <u>Conscious</u> and <u>Unconscious</u>



Defining Bias

Conscious Bias

(Explicit)

- Deliberate
- Systemic prejudice and/or discrimination

Example: "I only hire Hispanics."

Unconscious Bias

(Implicit)

- Unintentional
- Instinctive
- "Micro aggressions"

Example: Assuming a pregnant employee would not be interested in a promotion.

Science Behind Unconscious Bias

It's our inherent nature to have biases; therefore **EVERYONE** has some type of bias:

- Racial
- Social class
- Sexual orientation
- Gender
- Marital



What is YOUR Bias?



Unconscious Bias and Decision Making

The impact these biases can have in the workplace include:

- Our beliefs about other people's capabilities
- Our perceptions of other's contributions
- Our work culture
- Leadership/Career Advancement Opportunities
- Work performance evaluations



Micro Aggressions

Micro aggression: Subtle, verbal and nonverbal slights, insults, indignities, and denigrating messages directed toward an individual due to their group identity, often automatically and unconsciously

 Usually committed by well-intentioned individuals who are unaware of the hidden messages they are communicating



Negative Impact of Bias in the Workplace



- Recruitment
- Hiring Decisions
- Promotional Opportunities
- Employee Performance Evaluations
 - Brand Reputation
 - Services





Negative Impact of Bias in the Workplace

It can be an important hidden factor in whether:

- The best candidate gets a job
- The most suitable employee is given responsibility for an important project
- A performance review is accurate
- Promotions are given based on merit vs. favoritism
- Customers feel that they have received good service



-www.insights.learnlight.com



Negative Impact of Bias in the Workplace

Biased attitudes and behaviors could potentially lead to the following:

- Discrimination Cases
 - Harassment Cases

(sexual harassment, hostile work environment, etc.)

- Lawsuits
- Lower Employee Morale



Strategies to Manage the Challenges of Bias

Individually

- Diversity sensitivity
- Diversity awareness
- Stop using words and phrases which harm other's advancement opportunities and reinforce negative biases and stereotypes

Organizationally

- Ongoing and detailed cultural/ethnic diversity training to all employees at every level
- Make the focus of training of changing biased behavior rather than
 changing biased attitudes
 Develop/maintain active recruitment programs

How to Confront Biased Behavior

Ask a question

"What did you mean by that comment?" or "What information are you basing that on?" By engaging the person in a discussion, you can help them explore their biases and clear up any possible misunderstandings.

Share information

If the person doesn't think their comment was offensive, you can help educate them by offering an observation or more information.



DO:

 Speak up! Leaving a comment unaddressed may give the person permission to do the same thing again.

DON'T:

 Assume the person meant to offend you or anyone else; it's possible that they are clueless.

-www.hbr.org



DO:

Recognize that if you are in a position of power, you have a responsibility to address offensive comments.

DON'T:

 Ignore it – if you are uncomfortable by someone's conduct and don't want to address it directly with the person, you should reach out to your FEPL and/or HRFEP for assistance.

-www.hbr.org



Benefits of Unconscious Bias Training

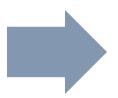
- Positive change in behavior in the long run
- Employees feel more supported
- Internal and External customers of Miami-Dade County feel welcomed and not discriminated against
- Reinforces and strengthens the concept of team building
- Employees develop and maintain useable skills for serving Miami-Dade County's diverse community
- Commit to taking at least one action to reduce the influence of bias in the workplace and in society.



Don't Put People in Boxes



& Reasonable
Accommodation



Basic understanding of Disability Anti-Discrimination laws

Reasonable Accommodations

Disability Etiquette

Best Practices



How many individuals in this picture have a disability?

1 2 3 4 5 6 7 Unknown













Visible Disabilities:

- Blind/Visually Impaired
- Deaf or Hard of Hearing
- Muscular Dystrophy (MD)
- Mobility Impairments
- Cerebral Palsy
- Down Syndrome



Invisible / Hidden Disabilities:

- Autism Spectrum Disorder
- Post Traumatic Stress Disorder (PTSD)
- Epilepsy
- Diabetes or Cancer
- Intellectual/Developmental Disabilities
- Emotional/Behavioral Disorder
- Attention-Deficit/ Hyperactivity Disorder (ADHD)
- Traumatic Brain Injury
- Dyslexia/ Specific Learning Disabilities
- Mental Health Disabilities







Awareness

Disability discrimination occurs when a person is treated less favorably on the basis of their disability.

Applies to all aspects of employment (hiring, firing, layoff, pay, benefits, promotion, harassment, failure to provide reasonable accommodations, etc.)



Federal Law

Americans with Disabilities Act (ADA) of 1990

- Protects a "qualified individual with a disability" from discrimination.
- There are other protections in the areas of public accommodations, transportation, construction, and communications.
- Protects individuals associated with/related to someone with a disability from discrimination.
- Protects individuals from retaliation for exercising their rights under the ADA.



Chapter 11A

Prevents discrimination in:

- **Employment**, housing, public accommodations, credit and financing practices, family leave and domestic violence leave.
- Because of race, color, religion, ancestry, national origin, sex, pregnancy, age, **disability**, marital status, familial status, gender identity, gender expression, sexual orientation, or actual or perceived status as a victim of domestic violence, dating violence or stalking.





Complaint Filing Methods

- Complaints may be submitted to HRFEP by any of the following methods by:
- Visiting our office on the 21st floor.
- Fax at (305) 375-2114
- E-mail at: <u>ofep@miamidade.gov</u>
- Completing an on-line complaint form available at: http://www.miamidade.gov/humanrights
- Anonymous complaints can be filed through web-based reporting system.
- The complaint must be submitted in writing, via email, or a staff member can assist with preparing a formal complaint if necessary due to a disability.

AO 10-10

Duties and Responsibilities for ADA Compliance

- Departments must be in compliance with ADA in regards to construction/alterations of facilities; programs and services.
- Department Directors must ensure accessibility; planning; and priorities are in compliance.
- Department Directors annually appoint three ADA Coordinators for follow through.
- Enumerates not only the obligatory actions of department directors, but also the obligatory functions of County department ADA Coordinators.

Internal Services Department/ ADA Office

- ADA's mission is to "ensure that every County government program, service, activity and facility is accessible to and usable by our residents and visitors with disabilities."
- The office also works to heighten awareness of disability issues, both within County departments and the local community.
- If you have an ADA related issue, need to request an accommodation for a particular County program or service, or need information provided in an accessible format, please contact the respective County department's <u>ADA Coordinator</u> to make a request.
- County ADA Coordinator, Heidi Johnson-Wright, at 305-375-2013 or via email at, Heidi.Johnson-Wright@miamidade.gov
- Link to ADA Coordinator page: https://www.miamidade.gov/global/ada-coordinators.page
- Link to ADA's SharePoint page: Miami-Dade County ADA Coordination SharePoint Page



EMPLOYABILITY 305 INITIATIVE

Human Resources (HR) Department, in collaboration with the Mayor's Office and the Internal Services Department's Americans with Disabilities (ADA) Office, are in the process of rolling out EmployABILITY 305, a program designed to identify barriers to employment of persons with disabilities, take proactive steps to overcome those barriers, and provide the support necessary to promote success, accessibility and inclusion in the County's







Who is Protected?

A qualified individual with a disability

- Has a physical or mental impairment that substantially limits one (1) or more major life activities;
- Has a history or record of such an impairment; or
- Is perceived or regarded as having such an impairment.

This does not include current, illegal use of or addiction to a controlled substance.



What Does Qualified Mean?

Perform <u>essential functions</u> of the position with or without reasonable accommodations

- Fundamental job duties that are necessary to the position.
- Focus on the purpose of the job and the result or outcome, rather than the way in which the job is currently being performed.

Some questions to ask -

 Are employees in the position actually performing the job function? Are there a limited number of other employees that can perform the function? Is the function highly specialized and is the person solely hired for their expertise or ability to perform it? Will there be any consequences if it is not completed?



Reasonable Accommodation

A modification or adjustment to a job, the work environment, or the way things are usually done.

- Allows an employee with a disability to perform the essential job functions or enjoy the benefits and privileges of employment equal to those enjoyed by all other employees.
- Accommodations should be effective, not preferred.
- Accommodations should not pose an undue hardship.
- All requests should be handled on a case by case basis.



Reasonable Accommodations in the Workplace

Making physical changes to the building, installing ramps, making restrooms accessible, wider doorways.

Acquiring or modifying necessary equipment.

Providing ergonomic furniture or computer equipment.

Assistive technology devices that provide accessibility and assistance, screen reading software, communication boards.

Sign language interpreters, large print materials, Braille displays.

Restructuring the job or work schedule adjustments, allowing breaks.

Adjusting training materials or policies. Providing checklists, allowing job/work coaches.

Accepting email form as opposed to verbal communication.

The Job
Accommodation
Network (JAN)
askjan.org

Division of Vocational Rehabilitation

rehabworks.org

Is this a request for a reasonable accommodation?

An employee tells her supervisor, "I'm having trouble getting to work at my scheduled starting time because of medical treatments I'm undergoing."

An employee tells his supervisor, "I need to work remotely for six weeks to get treatment for a back problem."

A new employee, who uses a wheelchair, informs the employer that her wheelchair cannot fit under the desk in her office.

An employee tells his supervisor that he would like a new chair because his present one is uncomfortable.

Reasonable Accommodation Request Forms



- A form for County employees and one for applicants.
- This form can be completed in order to request for a reasonable accommodation.
- All requests are handled on a case-by-case basis.
- The Form asks 3 questions:
 - 1. Identify and describe your impairment. Attach medical documentation.
 - 2. How does your impairment affect your ability to do your job?
 - 3. What is your accommodation request? (What do you need to help you do your job?)

For assistance, refer to the Human Resources Department ADA Procedures Manual or contact the HR Employee and Labor Relations Division at: (305) 375-4171.



Reasonable Accommodation Fund

HRFEP administers the Fund

- The County's Reasonable Accommodation Fund is available for departments to purchase assistive devices for employees and applicants with disabilities.
- The employee or applicant, their supervisor, the DPR, the HR Department, and HRFEP all work together to make requests to use the fund for reasonable accommodation requests.
- The County's Office of ADA Coordination and some outside organizations will be utilized to provide technical assistance.



Employer's Guide to Reasonable Accommodations



Undue Hardship

Reasonable accommodations are not required if they cause an undue hardship

- An accommodation that would be unduly costly, a threat to health and safety, extensive, substantial or disruptive, or would fundamentally alter the nature or operation of the business.
- If it is an undue hardship, the employer must try to identify another accommodation that will not pose such a hardship. For this reason, we need to engage in the interactive process.



Interactive Process

Not a one-step process

- The employer and the employee should work together to find an appropriate accommodation; this should be an interactive back and forth conversation.
- The employee must indicate in some way that they need an accommodation and identify what they believe would work for them.
- The employer may suggest a different accommodation and the employee must consider whether their idea would be effective.



Interactive Process

Step 1

Recognize an accommodation request

Step 2

Gather information Step 3

Explore accommodation options

Step 4

Choose an accommodation

Step 5

Implement the accommodation

Step 6

Monitor the accommodation

Each step requires careful documentation.

Medical Information

Is always kept confidential

- Accommodation information is shared on a need-toknow basis; co-workers are not entitled to know any medical information about another employee.
- Employees can't be asked questions about their medical status, medical history, family medical history, or specifics about disabilities or medical conditions.
- Medical information is stored separately from the personnel file.
- If you need to discuss medical issues speak to your DPR or County Human Resources.

Case Scenario

Let's test your skills:

Chen, a Clerk II in Finance, recently lost most of the use in his right arm. He informs his supervisor that performing certain office tasks takes him much longer with his left hand. His supervisor replied that Chen still needs to meet deadlines.

- Did Chen request an accommodation?
- Did the department engage in the interactive process?
- Does Chen have to meet the deadlines with or without a reasonable accommodation?

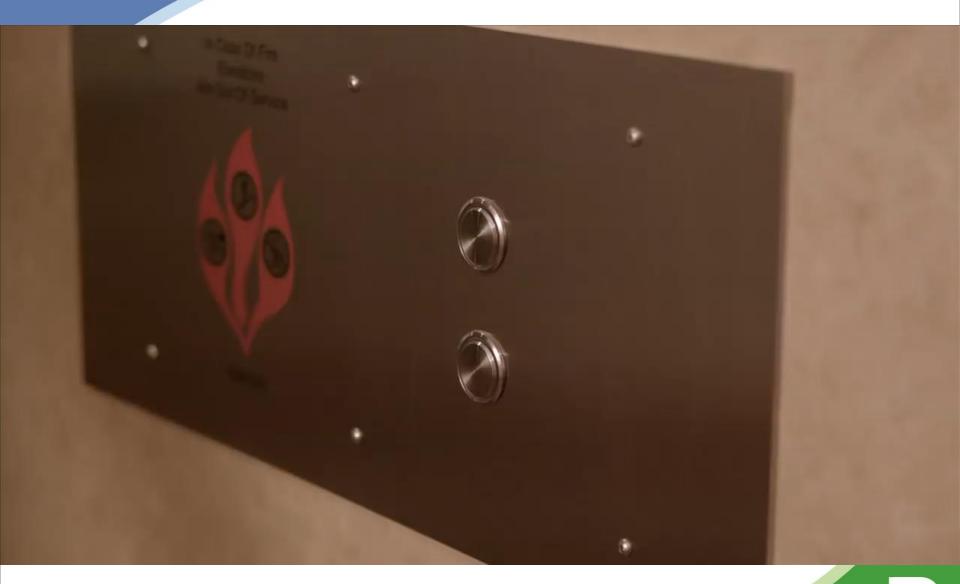


Case Scenario

Let's test your skills:

Jane, works in ITD as a computer analyst. She has rheumatoid arthritis in her knees and experiences painful flare ups affecting her ability to perform tasks, such as walking and daily household chores. She has requested a flexible work schedule and the ability to work from home which would require the use of a computer and remote access.

- Are Jane's requests reasonable?
- What if Jane's job was a line cook? Would her request for a flexible work schedule and ability to work from home be reasonable?





Focus on "People First" language

Acceptable:

- People with disabilities
- People with AIDS
- Pedro has autism
- Cho has a mobility disability or impairment
- Nora uses a wheelchair/is a wheelchair user
- Rondell has a mental health condition
- Children without disabilities
- Tonya has an intellectual disability
- Cindy has multiple sclerosis

Unacceptable:

- The handicapped/the disabled
- AIDS victims/AIDS patients
- Pedro is autistic
- Cho is a quadriplegic/cripple
- Nora is confined to a wheelchair/is wheelchair bound.
- Rondell is emotionally disturbed/mentally ill/crazy
- normal/healthy/typical children
- Tonya is retarded
- Cindy is stricken/afflicted with MS; is an MS victim



Interaction Do:

- Treat people with respect.
- Make eye contact and speak directly to the person.
- Don't make assumptions about a person's needs. Ask before you help and wait for a response.
- Focus on abilities and allow them to do what they are able to do.
- Be considerate of the extra time they may need to perform a task.
- Everyone makes mistakes; if you make one and offend someone, apologize.
- Respect the person's privacy. Some individuals may not be comfortable disclosing their disability.

Interaction Do Not:

- Assume the person's needs or abilities.
- Stereotype individuals in light of their disability.
- Refer to the person as "special needs," "handicapped," "suffering," or "a hero."
- Fail to establish expectations from the beginning or apply inconsistent standards.
- Fail to document performance/conduct issues early on.
- Fail to recognize a reasonable accommodation request and/or engage in the interactive process.
- Disregard the need to provide an accommodation to support performance improvement.

Best Practices

Key Points

- Use people first language.
- An employee/customer does not need to meet the definition of "disabled" to be provided with assistance.
- Focus should be on the "qualified" part and essential job functions.
- Job descriptions should be up to date with essential job functions.
- The interactive process should occur when an employee requests an accommodation.
- No blanket rules (e.g., "no 100% healed policy");
 everything should be case-by-case.



Human Rights & Fair Employment Division
Human Resources Department
111 NW 1 Street, 21st Floor
Miami, FL 33128
305-375-2784 (p) 305-375-2114 (f)
ofep@miamidade.gov
www.miamidade.gov/humanrights



Questions?

