

WASHINGTON STATE UNIVERSITY



### Workplace Issues Case Studies

Presented by Bonnie Wilmoth  
Human Resource Services

Updated March 2017

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### Objective

- Provide Resources
- General Overview of Laws, Policies and Procedures
- Discuss real workplace scenarios

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**Know Your Employees**

- Faculty
  - Faculty Manual
- Administrative Professional
  - Administrative Professional Handbook
- Civil Service
  - Washington Administrative Code (WAC 357)
- Bargaining Unit Covered
  - Bargaining Agreement
- Temporary Employment
  - Business Policy 60.26



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**Laws, Policies and Procedures**  
- Overview -

- Revised Code of Washington (RCW)
- Washington Administrative Code (WAC)
  - Civil Service Rules
- State Ethics Rules
  - Personal Use of State Resources
- WSU Strategic Plan
- Procedures, Records and Forms
  - Business Policies and Procedures Manual (BPPM)
  - Safety Policies and Procedures Manual (SPPM)
  - Executive Policy Manual (EPM)



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**WSU Policies and Procedures**

- Safe Environment
  - Workplace Violence Policy (BPPM 50.30)
  - Bullying in the Workplace (BPPM 50.31)
  - Domestic Violence Guidelines
- Sexual Assault – EP#15
  - Intimate partner violence
  - Child abuse or neglect (RCW 26.44.030(1)(f))
- Alcohol and Drug Policy
- Computer Investigation



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**Workplace Violence**  
- Policy -

While on University property or while conducting University business all employees are prohibited from subjecting any individual to any violence or threat of violence, including workplace bullying.



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**Workplace Violence**  
- Policy -

**Workplace Violence Definition:**  
*Any physical assault, threatening, or intimidating behavior, or abusive conduct occurring in the work setting.*



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**Workplace Violence**  
- Policy -

**Reporting Incidents:**

- Review WPV Checklist located on:  
- [HRS website](#) - Safe Environment
- All employees are expected to report incidents of violence or potential violence.

HRS is responsible for investigating the incident and recommending appropriate action; and if applicable coordinate with WSU-Police. HRS reports information to the Appointing Authority.



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**Workplace Violence**  
- Definitions -

**Urgent / Direct Threat:**  
*there is actual violent behavior towards a person or property, where a person is being threatened, or where it appears violent behavior is likely to take place, such as a verbal altercation.*

- Isolate or evacuate yourself & others
- Call 911
- Alert HRS
- Alert Chair/Director and Dean



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**Workplace Violence**  
- Definitions -

**Emerging or Potential Threat:**  
*a situation has the potential for becoming violent over time.*

- Call WSU Police 509-335-8548 OR 911
- Alert HRS
- Alert Chair/Director and Dean



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**Simulation #1**



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**What do you say to Jill?**

02:52

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**What do you do?**

Step 1  
Pertinent Fact  
From Jill

**Did Jill give you all the pertinent facts to address the concern?**

**Ask Jill the who, what, when, where, and how?**

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**What do you do?**

Step 1  
Pertinent Fact  
From Jill

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Step 2  
Contact Your  
HRC

**Contact your HRC to discuss.**

- Have the appropriate department/college/area personnel been notified (Director, Dean, VP)?
- Determine who will initiate the fact finding process – supervisor, HRS or other university unit.

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**What do you do?**

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graph TD; S1[Step 1  
Pertinent Fact  
From Jill] --> S2[Step 2  
Contact Your  
HRC]; S2 --> S3[Step 3  
Fact Finding];
```

- What day/time did this occur?
- Where did it occur?
- Names of other witnesses
- **What initiated the argument?**

- Was it an argument?
- What was said?
- How loud were the voices?
- How close were they standing?

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**What do you do?**

**- John and Sandy Disagreement -**

**You Learn:**

- The incident occurred on Thursday around 2:00pm.
  - Students were in the hallway changing classes.
- Two other staff members witnessed the incident (Frank and Tony). You interview them and discover:
  - John and Sandy were in the middle of the hallway;
  - Initially they were several feet apart, but got closer as the students came into the hallway;
  - Students had to walk around them to get to class;
  - Sandy was very animated with arm gestures;
  - John and Sandy's voices started off a normal tone and then Frank stated they began "yelling" at each other and Tony stated they raised their voices to be heard;
- Foul language was used by both parties.

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**What do you do?**

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graph TD; S1[Step 1  
Pertinent Fact  
From Jill] --> S2[Step 2  
Contact Your  
HRC]; S2 --> S3[Step 3  
Fact Finding]; S3 --> S4[Step 4  
Review  
Employee  
History];
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Review your supervisory notes on John and Sandy

- Performance Reviews
- Previous counseling or letters

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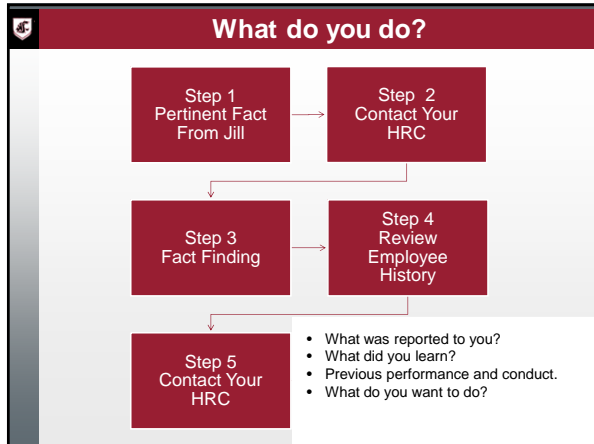
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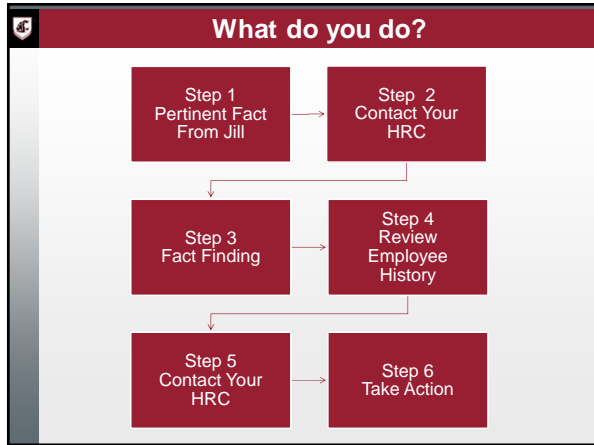
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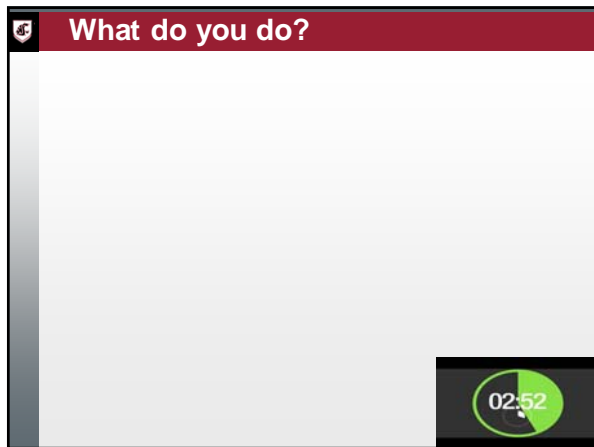
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**Workplace Bullying**

Workplace bullying refers to *repeated, unreasonable actions of individuals (or a group) directed towards an employee (or a group of employees), which intimidate, degrade, humiliate, or undermine; or which create a risk to the health or safety of the employee(s).*



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**Workplace Bullying**

Workplace bullying often involves an abuse or misuse of power. Bullying behavior creates feelings of defenselessness and injustice in the target and undermines an individual's right to dignity at work.



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**Workplace Bullying**

HRS will assist and provide guidance to Employees, Managers and Appointing Authority.

**Reporting Incidents:**

- Employees are encourage to contact their supervisor
- Contact HRS

HRS is responsible for leading an investigation of the incident and recommending appropriate action to area Appointing Authority.



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**Simulation #2**



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**What do you do?**

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Meet with Andrew

Why are you meeting?

*"I want to talk with you about the recent changes in your communication style and behavior in our department meetings."*

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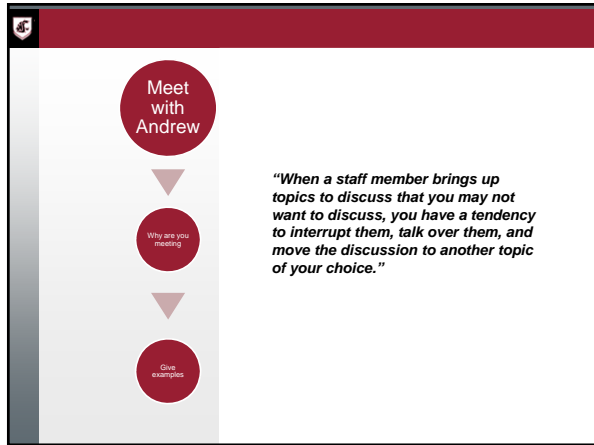
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Meet with Andrew

Why are you meeting?

Give examples

*"When a staff member brings up topics to discuss that you may not want to discuss, you have a tendency to interrupt them, talk over them, and move the discussion to another topic of your choice."*

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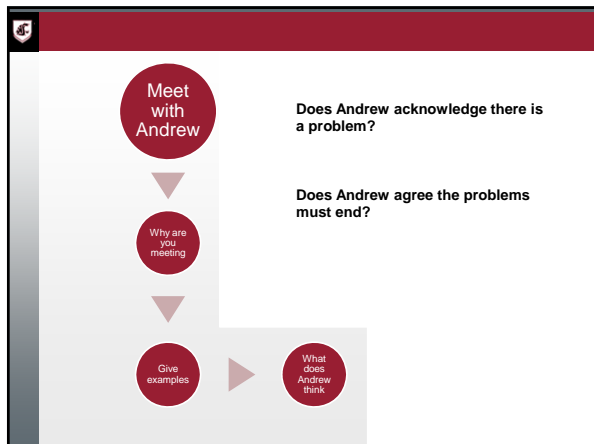
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Meet with Andrew

Why are you meeting?

Give examples

What does Andrew think?

Does Andrew acknowledge there is a problem?

Does Andrew agree the problems must end?

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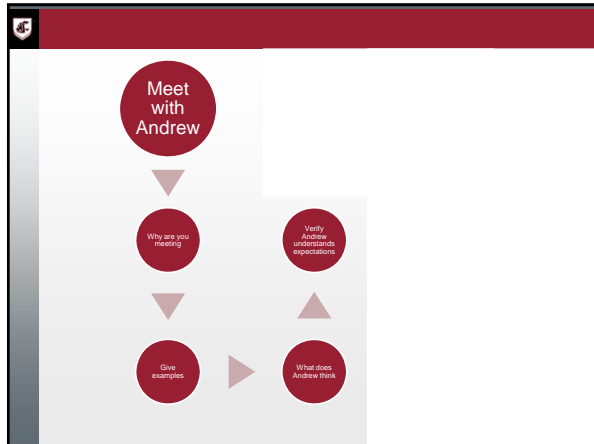
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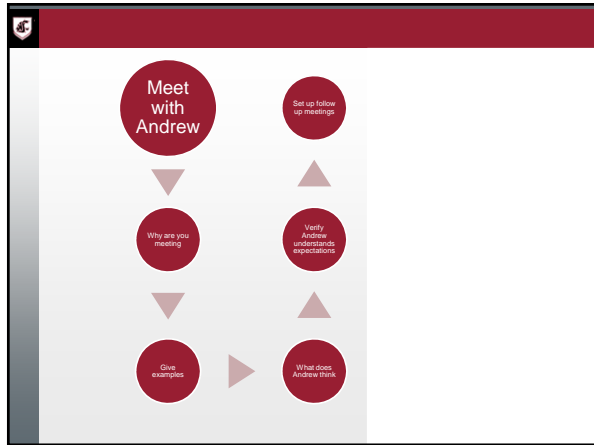
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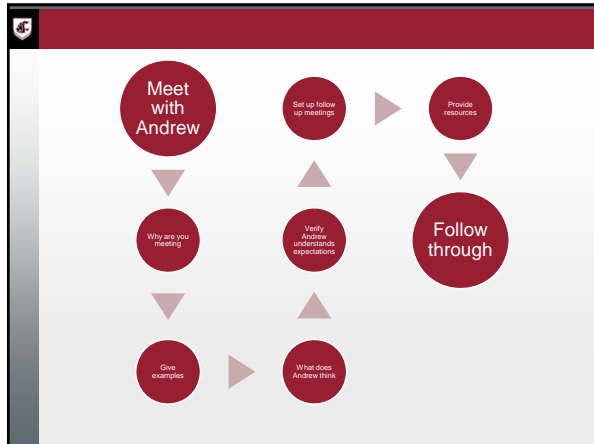
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**WSU Workplace Issue**

Let's change Hats:

02:52

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**WSU Workplace Issue**

**Bullying Behavior**

What is often seen in workplace cases where the co-workers is considered a bully or who has bully-like behavior is that they want to be like any other co-worker(s), they also want *workplace safety, want to belong, be part of a team, perform meaningful work, etc.*

They just are going about it in an inappropriate way.

*Whether the behavior is a violation of policy, it is inappropriate and unprofessional, and must be addressed.*

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**WSU Workplace Issue**  
Inappropriate Behavior

**Signs to watch for and take action:**

- Excessive criticism (appears different standards)
- Belittling a person's opinion
- Keeping a file of mistakes or falsely accusing
- Yelling, insulting, humiliating or using profanity
- Socially singling out
- Spreading destructive gossip and lies
  - Failing to stop the spread of rumors
- Work sabotage (not performing tasks crucial to another's success)
- Habit of taking the credit for work of others
- Blocking ability for training, vacation, or promotion

Ask yourself, would people consider the action acceptable?



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**Workplace Issue**  
Bullying and Harassing Behavior

**Bullying and Harassing Behavior - Is Not:**

- Expressing differences of opinion;
- Offering constructive feedback, guidance, or advice about work-related behavior;
- Reasonable action taken by a supervisor relating to the management of an office;
- Directing an employee to perform job duties;
- Reminding an employee of their work shift;
- Reasonable action taken to manage an employee's performance, initiating corrective and/or disciplinary action.



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**Workplace Bullying**  
Informal Complaint Process

The goal of reporting bullying complaints to a supervisor is to resolve the issue at the lowest level and as quickly as possible.

**Informal Complaint Option(s):**

1. Meet with a supervisor and seek advice on addressing concern.
2. Request a supervisor intervene on your behalf.
3. Request an informal meeting with the alleged offender and your supervisor or the alleged offender's supervisor to discuss the concerns.



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**Workplace Bullying**

**What can you do?**

- Encourage staff to report incidents to you.
- Be a resource to your employees.
- Actively participate in an informal resolution process. Resolve the issues at the lowest level and with the least amount of disruption to work place.
- Contact HRS for guidance.

**What can your staff do?**

- Let the individual know the behavior is not acceptable.
- Provide timely, specific information to supervisor.
- Actively participate in an informal resolution process. Resolve the issues at the lowest level.
- Contact HRS for guidance.

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**Workplace Bullying**



Human Resource Services

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**Break Time**



Human Resource Services

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**Domestic Violence**  
- Guidelines -

WSU seeks to enhance workplace safety by educating employees about domestic violence and its possible risks.

- **Domestic Violence Definition:**  
*Abusive behavior that is either physical, sexual, and/or psychological, intended to establish and maintain control over a partner or family or household member. (RCW 26.50)*



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**Domestic Violence**  
- Guidelines -

**Reporting Incidents:**

- Review DV Checklist located on:
  - HRS website - Safe Environment
- Alert your supervisor
- Alert HRS
- Call 911 if Urgent / Direct Threat

HRS is responsible for looking into reported concerns and recommending appropriate action to area Appointing Authority.



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**Domestic Violence**  
- Guidelines -

- A victim's *workplace* is a particular target because the abuser know she/he can find her/his victim.
- A victim's *job* is a particular target for the abuser because it is both a perceived and real loss of control.



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**Domestic Violence**  
- Guidelines -

When a Co-Worker / Employee may be a Victim:

- Encourage to contact a community or anti-violence agency for information, guidance and support
- Encourage to talk with Employee Assistant Program (EAP)
- Refer employees to HRS regarding workplace related concerns



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**Domestic Violence**  
- Guidelines -

**Workplace Responsibility  
Performance-Attendance**

- Fluctuation in the quality of work
- Absenteeism or tardiness
- Needs to leave right on time
- Partner visits work a lot
- Repeated, upsetting phone calls
- Chronic fatigue - can't focus on duties



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**Domestic Violence**  
- Guidelines -

**Workplace Responsibility  
Corrective Action**

- Treat them as any other employee
- Work duties / responsibilities
- Position expectations
- Address the business needs
- Workplace safety concerns
- Refer to Employee Assistance Program
- Refer to Human Resource Services.



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**Domestic Violence**  
- Overview -

- **DO NOT:**
  - *Get overly involved*
  - *Pressure employee to disclose what is happening*
  - *Give specific advice*

*Statistics show that a domestic abuse victim leaves 7 times before they do not go back*

- **DO:**
  - *Listen, support, and refer*
  - *Listen without judging*



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**Domestic Violence**  
- Overview -

How might a supervisor become aware?

- Observation – signs of abuse
- Employee self-disclosure to you or others
- Disclosure during job performance discussion.

Supervisors Responsibility

- Remain neutral
- Remain supportive



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**Domestic Violence**  
- Case Study -

Victim: 26 year old female UW employee

- She was killed at work on April 2, 2007


Post Break-up / Pre-incident:

- March 2007 broke up with Offender 41 years old
- Offender called her from pay phones was on the run
- Evaded service on Order of Protection
- Left threatening messages to victim and her sister
- Stole a revolver from a friend

HR unaware:

- Victim received death threats
- Victim filed a report & a copy of the Order was given to University Police

Lesson(s) learned



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**Sexual Harassment**

Policy Prohibiting Discrimination, Sexual Harassment, and Sexual Misconduct  
Executive Policy #15 (EP #15)

*Sexual harassment is a form of discrimination which encompasses unwelcome verbal or physical conduct based on sex and/or gender or of a sexual nature.*



*Sexual misconduct, which includes sexual assault and other sexual violence, is a form of sexual harassment.*

*"Gender-based harassment," is harassment of a non-sexual nature that is based upon a person's sex and/or gender, including nonconformity with sex and/or gender stereotypes.*



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**Sex and Gender Based Violence**

WSU policy prohibits sexual misconduct and other forms of sex and gender based violence as forms of sexual harassment. This includes, but is not limited to:

- Sexual Assault;
- Sexual Exploitation;
- Intimate Partner Violence (i.e. domestic or dating violence);
- Stalking

One instance of sexual misconduct will be considered sufficiently **severe** to rise to the level of a violation of EP 15.

Employees and supervisors should **not** attempt to investigate or assess allegations of discrimination, sexual harassment, or sexual misconduct prior to consulting with the Office for Equal Opportunity



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**Reporting Requirements**

- WSU employees **cannot guarantee confidentiality** to students or other employees, unless they have a legally privileged relationship.
- **All WSU employees, including student employees**, who have information regarding incidents of sexual harassment or sexual misconduct **must** report to OEO, the WSU Title IX Coordinator, or a Title IX Co-Coordinator.
- WSU employees with **supervisory authority** who have information regarding incidents of other forms of discrimination, must report those to OEO.
- Under state law (RCW 26.44.030(1)(f)) all administrative, academic, and athletic dept employees, including student employees, are required to report suspected child abuse or neglect to law enforcement or WA State Department of Social and Health Services. All higher education employees are required to report suspected child abuse or neglect to their supervisor within 48 hours and should report to law enforcement. (RCW 28B.10.846).



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**Confidential Resources**

For Students:

- WSU Counseling and Testing Services 335-4511
- WSU Health and Wellness Services 335-3575


For Employees:

- Employee Assistance Program (EAP) 877-313-4455

For Both:

- Alternatives to Violence of the Palouse (ATVP)  
509-332-4357 or 1-877-334-2887

For other WSU Campuses see [oeo.wsu.edu/resources](http://oeo.wsu.edu/resources)



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**Simulation #3**



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**What type of conversation do you have?**

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**Domestic Violence**



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Alex, I'll take Workplace Potpourri for ...



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**Alcohol and Drug Policy**

Your employee comes to work smelling of alcohol and slurring their words.

What do you do?



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**Alcohol and Drug Policy**

In compliance with the Drug-Free School and Communities Act Amendments of 1989 and the Drug-Free Workplace Act of 1988:

- WSU prohibits the unlawful possession, use, or distribution of illicit drugs or alcohol on University-controlled property.
- WSU strictly enforces State of Washington laws.



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**Alcohol and Drug Policy**

You meet with your employee and discuss observations and changes in behavior with them.

- They admit they went out at lunch and drank a few beers, but promise they are not drunk.

What do you do?



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**Computer Abuse Investigation**

In accordance with Executive Policy #4, suspected abuse should be reported to the appropriate dean, director, or designee.

- HRS assists in assessing suspected abuse;
- HRS contacts Internal Audit
  - Should police be contacted?



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**Computer Abuse**

Recently when you walk into your employee's office; they quickly close down their screen.

What do you do?



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**Computer Abuse**

You found several pages of real estate listings and cheap vacation packages on the printer used by the office:

What do you do?



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**What would you do?**

An employee in a lab comes to you and states that a co-worker has a strong offensive odor. They have tried to bring up the topic, but didn't want to hurt their feelings, so may have not really said anything. They explain to you that it has gotten worse over the last few months.

How would you address the situation?



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**Workplace Concern**  
- Resolution Process -

- This process is designed to provide eligible employees with a responsive process for obtaining a review and resolution of their workplace concerns.
- Definition:  
*A situation that an eligible employee believe negatively affects his or her workplace environment.*



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**Departmental Guidelines**

- Guidelines are designed to assist employees and supervisors with departmental level expectations / processes;
  - Should be constantly reviewed
  - Is it still relevant and reasonable?
- “Policy” must go through the formal process and are included in the Universities BPPM.
- All guidelines, policies, procedures and expectations must be in written form.
  - Best to document when issued



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**As a Supervisor Remember**

- Clearly explain expectations and position duties
- Openly communicate
- Discuss rules, guidelines, and policies
- Properly document
- True and accurate annual/performance reviews



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**Resources**

**Human Resource Services**  
French Ad 139: 509-335-4521  
[hrs.wsu.edu](http://hrs.wsu.edu)

**Office for Equal Opportunity**  
French Ad 225: 509-335-8288  
[oeo.wsu.edu](http://oeo.wsu.edu)

**University Ombudsman**  
Wilson-Short Hall, room 2: 509-335-1195  
[ombudsman@wsu.edu](mailto:ombudsman@wsu.edu)

**Employee Assistance Program**  
1-887-313-4455  
[eap.wsu.edu](http://eap.wsu.edu)



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**HRS Contact Information - Links**

**Human Resource Services**

- Pullman: 509-335-4521
- Spokane: 509-358-7554
- Vancouver: 360-546-9587
- Tri-Cities: 509-372-7470

**HRS website: [www.hrs.wsu.edu](http://www.hrs.wsu.edu)**

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**In Closing**

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WASHINGTON STATE UNIVERSITY



This has been a  
WSU Training  
Videoconference

If you attended this live training session  
and wish to have your attendance  
documented in your training history,  
please notify Human Resource Services  
within 24 hours of today's date:

**[hrstraining@wsu.edu](mailto:hrstraining@wsu.edu)**

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