



Managers Have Major Impact on Preventing Workplace Harassment and Discrimination

Workplace harassment and discrimination, in any form, can damage company culture, stifle innovation and depress morale. But the harmful effects can go much further, creating “career limiting” outcomes for managers and leaders and resulting in serious financial penalties for companies who allow discrimination issues to fester.

During fiscal 2014, the U.S. Equal Employment Opportunity Commission (EEOC) fielded 88,778 charges of workplace discrimination. The top five discrimination charges were retaliation, race, sex (including pregnancy and sexual harassment), disability and age.

As managers, you are in a unique position to help prevent, identify and address potential issues. To help the University of New Mexico ensure that we’re fostering a culture of fairness, ethics and respect, while avoiding the risks of legal action, managers need to:

- Spot and address potential issues before they grow. Keep your radar attuned to team dynamics and conversations. If you learn of potential harassment or discrimination, you must address it. Ignoring it is not an option, even if the issue seems small or questionable. It does not matter how you learn of the issue or whether you manage the individuals involved. When in doubt, reach out to the Office of Equal Opportunity.
- Take every report seriously: Avoid bias in receiving reports; treat each report with gravity. Know that UNM does not expect you to investigate or handle every report directly, but we do expect you to notify human resources, or the Office of Equal Opportunity who have been trained to appropriately investigate these types of reports.
- Proactively manage controversial workplace conversations and interactions: While it’s hard to avoid talking about controversial issues of the day, create an expectation and understanding that inappropriate comments and conduct will not be tolerated. If conversations become heated, take quick action to shut down the conversation and address the issue.
- Don’t assume that your employees know the rules or know when their conduct crosses the line: Be ready to provide additional coaching or training to employees who may not be aware that their behavior is inappropriate or potentially offensive.
- Lead by example: Your team looks to you to set the tone. Your actions and your words speak loudly: demonstrate that you will have no tolerance for harassing or discriminatory behavior by setting the standard.

Ensuring that UNM is free of all forms of harassment and discrimination can challenge even the best managers and leaders. If you need additional help with addressing potential discrimination issues, please contact the Office of Equal Opportunity at 505-277-5251. Our office can help you get to the root causes of an issue and, if necessary, get your team back on the right track.

Q&A

Q: One of my team members loves to joke around, but sometimes I worry it may go too far and offend someone. What's the best way to talk to a team member who hasn't "crossed the line," but is in danger of doing so?

A: Pull the team member aside for a private chat. Explain that you are worried that they may be at risk of being disciplined based on their behavior, then explain why their current behavior is troubling. Show them what our policy says about acting respectfully and avoiding potentially harassing conduct. A best practice would be to send the employee a follow-up email outlining your conversation and thanking them for adjusting their workplace behavior. This allows you to demonstrate that you addressed the issue if the employee or someone else ever suggests that you did not.

Q: What should I do if an employee tells me about potential harassment but then asks me not to do anything and not to tell anybody about it? I feel as though I should comply with their request for confidentiality.

A: Do not keep the matter confidential. Instead, ensure that the issue is reported to the Office of Equal Opportunity. The reason is that we must protect all employees, including the employee who has spoken to you, from harassment and discrimination. UNM has a duty to act, and this begins the moment any manager or supervisor learns of potential harassment or discrimination. So, you cannot keep the matter confidential. Explain to the employee that the matter will be kept as private as possible and shared only with people who have a legitimate need to know. If they do not want to report the issue, then you need to.

Q: I recently addressed an employee's inappropriate behavior ("off-color" remarks that violate our policy against harassment). She said she had a right to free speech and I couldn't restrict what she says. I was caught off-guard. Is she right?

A: No, she is incorrect. Employees often believe that "free speech" means that they can say what they want at work without consequences. But that's not true. At bare minimum, make sure the employee understands that they should avoid comments and behaviors that are sexually explicit or derogatory of characteristics protected under our policies.