Diversity & Inclusion

How to Build Diversity
Ease Veterans’ Transition
Access Deaf & Disabled Talent
Measure Employee Engagement
IPMA-HR’s NEW Customer Service Test Series is designed for use across many different job classifications particular to public sector agencies including 311 Center representative, customer service representative, front desk positions, clerks and office assistants.

Discover how this new test series can help your agency.

ipma-hr.org/CSR
Thought leads to action.

That aphorism came repeatedly to mind as I prepared the articles and columns for this issue of HR News. Who leadership, hiring managers, recruiters and current employees view as making up the employable population determines just how diverse and inclusive the workforce will become.

Fostering what human resources professionals shorthand as D&I demands much more than hiring and promoting women in male-dominated fields. It also requires more than putting together teams that reflect national and local demographics. For D&I to exist and deliver benefits for employers, workforces must be open to individuals who deal with mental health challenges, welcoming to people with disabilities and accommodating of those who accomplish tasks in different ways.

Jason Carney, the HR director at WorkSmart Systems, starts the discussion by emphasizing intellectual diversity. After quoting Malcom Forbes’s definition of diversity as “the art of thinking independently together,” Carney details three sets of actions organizational leaders must take to build diversity. These are keeping an open mind during the hiring process, eliminating biased language from job descriptions and integrating teams while focusing on how new member strengthen groups.

Moving from the general to the specific, Easterseals President and CEO Angela F. Williams, herself a decorated U.S. Air Force officer, explains how employers can “Tap Into the Talent and Skills of Veterans Transitioning to Civilian Careers.” Using examples of programs her own organization offers, Williams advises offering individualized mentoring and coaching to job seekers, partnering with veterans’ group to coordinate placements, making worksites accessible, ensuring workplaces can be easily reached by public transportation and recognizing that veterans’ families often have unique needs.

Next, Communications Services for the Deaf CEO Christopher Soukup calls on employers to “Check Your Bias, Then Hire More Deaf and Disabled Talent.” As he notes, while “awareness about the need for inclusion has improved … millions of disabled or deaf people like me continue to face a sobering reality: Even in a strong and thriving labor market, many businesses still do not imagine us as part of their workforces, or even part of their diversity initiatives—forgetting that disability is diversity.”

In “It’s Time to Level Up on Emotional Intelligence in the Workplace,” Aaron Harvey argues that organization do themselves and their workers a disservice by failing to include mental health resources and education in their wellness programs. “Doing so,” writes the co-founder of Made of Millions, “will benefit individual workers and create healthier cultures that boost productivity and minimize liability.”

Rachel Shaw then answers the question of “What’s so Essential About EFPAs?” The author of The Disabled Workforce: What the ADA Never Anticipated explains that accepting the Essential Functions Position Analysis for a given position as “a straightforward collection of data and not a personal document [and] using it as an established yardstick” while going through the interactive process under the Americans with Disabilities Act “often helps both the employer and employee evaluate the need for and reasonableness of a requested accommodation in a less-emotional and more practical way.”

Simply achieving D&I goals accomplishes little if employees become dissatisfied and disengaged. To this point, the latest CompDoctor™ column highlights how “Ensuring Gender Pay Equity Supports Organizational Well-Being” because “problems with pay equality lower morale among existing staff, which leads to employee disengagement. An organization that pays men and women unequally may suffer from lower productivity, higher turnover and lack of creativity and initiative.”
Set Yourself Apart with IPMA-HR Certification

“The IPMA-CP designation has given me more respect and recognition. I am proud to have the IPMA-CP designation next to my signature. IPMA-HR has consistently updated its members with trainings and workshops.”

Jocelyn Francisco, IPMA-CP
Human Resources Technician
City of Chula Vista

Begin your path today!

Establish your expertise and gain the credentials recognized as the gold standard of public sector HR.

The IPMA-CP and IPMA-SCP certifications—the first competency-based model in the human resources community—provide you with the opportunity to earn credentials that demonstrate your mastery of public sector HR.

Not sure which certification is right for you?

IPMA-SCP is a competency-based model designed for passionate, senior level HR professionals.

IPMA-CP knowledge-based model is for you if you’re just starting out in your career or mid-level in public sector HR.

Get started on your path to certification today!
ipma-hr.org/certification
## FEATURES

<table>
<thead>
<tr>
<th>Page</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>How to Build Diversity in the Workplace</td>
</tr>
<tr>
<td>8</td>
<td>Tap Into the Talent and Skills of Veterans Transitioning to Civilian Careers</td>
</tr>
<tr>
<td>10</td>
<td>Check Your Bias, Then Hire More Deaf and Disabled Talent</td>
</tr>
<tr>
<td>12</td>
<td>It’s Time to Level Up on Emotional Intelligence in the Workplace</td>
</tr>
<tr>
<td>14</td>
<td>What’s so Essential About EFPAs?</td>
</tr>
<tr>
<td>17</td>
<td>What You Need to Know About Preventing Job Burnout</td>
</tr>
</tbody>
</table>

## COLUMNS

<table>
<thead>
<tr>
<th>Page</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>18</td>
<td>COMPDORCTOR™ Ensuring Gender Pay Equity Supports Organizational Well-Being</td>
</tr>
<tr>
<td>20</td>
<td>EMPLOYEE ENGAGEMENT Make Measuring Employee Engagement a Priority</td>
</tr>
<tr>
<td>22</td>
<td>LABOR RELATIONS</td>
</tr>
</tbody>
</table>

## DEPARTMENTS

<table>
<thead>
<tr>
<th>Page</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>26</td>
<td>MEMBERSHIP MATTERS</td>
</tr>
<tr>
<td>28</td>
<td>CALENDAR</td>
</tr>
</tbody>
</table>

## ADVERTISE IN HR NEWS

Visit [www.ipma-hr.org/media-kit](http://www.ipma-hr.org/media-kit) or email [publications@ipma-hr.org](mailto:publications@ipma-hr.org) to explore print and digital ad opportunities.
Time and again we hear from our members, "You sell assessment products?! We had no idea!" We do indeed! And for the last 70 years, we've been the experts in public sector testing, including:

- Public Safety: Police, Fire, Corrections and Emergency Communications
- Administrative Support & Customer Service
- Public Works: Wastewater Treatment

Learn more about the products and resources available from IPMA-HR. [ipma-hr.org/assessment](ipma-hr.org/assessment) | 1-800-381-TEST (8378)
IN TOUCH WITH IPMA-HR

General Inquiries For basic information about Association programs and products, call (703) 549-7100 or email membership@ipma-hr.org.

IPMA-HR Research For sample policies, best practices, surveys, reports and the latest trends in public sector HR, call (703) 549-7100 or email hresources@ipma-hr.org.

IPMA-HR Assessment Services Call (800) 381-TEST (8378) or email assessment@ipma-hr.org for all test- and test product-related questions, test ordering and shipping, test development details and test validation. All other inquiries should go to (703) 549-7100.

Government Affairs For information on legislation and court decisions, email gov@ipma-hr.org.

Membership For membership questions, name and address changes, chapter information and dues or invoice inquiries, email membership@ipma-hr.org.

Meetings For conferences and seminar registration and information, email meetings@ipma-hr.org.

Publications To place publication orders, find pricing information, find out about shipping options, verify nonmember subscriptions, obtain reprint permission, get guidelines for submissions to Public Personnel Management or ask advertising-related questions, email publications@ipma-hr.org.

Web For all questions relating to the website, email web@ipma-hr.org.

IPMA-HR Staff

Neil E. Reichenberg, Executive Director, ext. 251, neireichenberg@ipma-hr.org
Sima Hassassian, Deputy Executive Director ext. 254, shassassian@ipma-hr.org
Ed Lamb, HR News Editor, elamb@ipma-hr.org
Daniel Gage, Database Administrator, dgage@ipma-hr.org
Lynette Martin, Administrative Assistant, ext. 200, lmartin@ipma-hr.org
Yari Randall, Test Development Manager, ext. 252, yrandall@ipma-hr.org
Markia Rauch, Mailroom Associate, ext. 240, mrauch@ipma-hr.org
Bob Sowell, Assessment Services Coordinator, ext. 213, bsowell@ipma-hr.org
Joanne Sisson, Accounting Manager, ext. 257, jssisson@ipma-hr.org
Jacqueline Snyder, Professional Development Manager, ext. 242, meetings@ipma-hr.org
Robert Svtia, Director of Association Services, ext. 256, rsvtia@ipma-hr.org
Debbie Tankersely-Snook, Special Assistant, ext. 250, tankersely@ipma-hr.org
Maria Villareal, Research Manager, ext. 244, mvillareal@ipma-hr.org
Gabrielle Voorhees, Controller, customerservice@ipma-hr.org

External Staff

Alison Dixon, Graphic Designer, ipma@ipma-hr.org
Kathy Dowdy, Director of Sales & Partnerships, ARP, kdowdyassociationvenuepartners.com
Jenny Donovan, Social Media Manager & Marketing Consultant, jdonovan@ipma-hr.org
John Haas, Employment Testing Specialist, jhaas@ipma-hr.org
Julia Jaoude, HR Associate, jjaoude@ipma-hr.org
Shawn Kelly, Employment Testing Specialist, skelly@ipma-hr.org
Toni Kovalski, Test Development Consultant, tkovalski@ipma-hr.org
Jana Sobol, Senior Account Director, MGI, jsobol@marketinggeneral.com

Suggestions or comments? Please email us at customerservice@ipma-hr.org.
How to Build Diversity in the Workplace

By Jason Carney

Building an inclusive and diverse workforce goes far beyond increasing gender or racial representation. As Malcolm Forbes, the founder of Forbes magazine, defined the concept, “Diversity: the art of thinking independently together.”

The reality is that managers and executives who want to develop a culture centered on diversity and to establish more diverse teams must consider other factors, such as experience and general background. The most important thing to do is to look for candidates who can fill a role and fit best within the team regardless of their history. But how can you do that at your own organization?

Here are three ways to add diversity the right way.

Remain Open-Minded During the Hiring Process

Keeping an open mind during the hiring process sets up a candidates for success regardless of his or her race, gender or skill level.

The first step in creating diversity is building a well-rounded and successful interview experience for every candidate. Members of the hiring team should not have preconceived notions of how the “perfect” candidate looks or speaks, and application materials and interview questions should not unfairly eliminate talented individuals.

It also helps to let candidates who are brought in for final interviews speak with potential coworkers from all levels of the organization, whether that be the female director or the male account clerk. Candidates who have the opportunity to meet a diverse group of employees often feel less intimidated and become more willing to speak freely about their experience. This creates an open environment in which candidates can effectively outline the skillset they bring to the table, which is a win-win for everyone involved.

Create Unbiased Job Descriptions

Many organizations do not realize that their job descriptions are biased. For example, there may be specific phrases or keywords such as those listed in the accompanying table that seem to describe a particular group of people more than another.

---

Words That May Keep Women From Applying For Jobs

<table>
<thead>
<tr>
<th>Ambitious</th>
<th>Analytical</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assertive</td>
<td>Autonomous</td>
</tr>
<tr>
<td>Best of the Best</td>
<td>Boastful</td>
</tr>
<tr>
<td>Chairman</td>
<td>Competitive Salary</td>
</tr>
<tr>
<td>Dominate</td>
<td>Hierarchical</td>
</tr>
<tr>
<td>Foosball</td>
<td>Ninja</td>
</tr>
<tr>
<td>Rigid</td>
<td>Silicon Valley</td>
</tr>
<tr>
<td>Stock options</td>
<td>Strong</td>
</tr>
<tr>
<td>Takes risks</td>
<td>Workforce</td>
</tr>
</tbody>
</table>

The phrase “work hard, play hard” is a perfect example because it may deter older individuals from applying. Also, entry-level candidates may avoid applying for jobs described as requiring the “best of the best” because they interpret the phrase as indicating that only a more-experienced professional will be considered.

When developing job descriptions, managers and executives must remain mindful of how each one is written. Keeping the language unbiased will attract a more diverse pool of candidates.

**Diversify Existing Teams**

Most organizations will benefit from focusing on expanding current workgroups instead of trying to create a wholly new and diverse group of workers. When evaluating each team for potential diversification, look at factors other than simple demographics. Ask which teams could benefit from fresh ideas and differing perspectives. Those are the ones that require new members who can spark innovation.

It is essential, however, to remember to never add someone to a team just for the sake of diversity. Doing that without considering skillsets and cultural fit is often more disruptive than productive.

A good way to diversify the workforce without causing self-defeating disruption is to pair entry-level employees with seasoned executives. Doing this allows younger employees to benefit from the executive’s knowledge and insights while exposing executives to fresh ideas.

Creating internal diversity is positive for the workforce and for clients and customers. Research done by McKinsey and reported in *Diversity Matters* revealed that companies with racially and ethnically diverse teams were 35 percent more likely to realize greater financial returns than their competitors—and a healthy bottom line is always a goal.

Managers and executives should no longer doubt that diversity is more important than ever, especially when it comes to attracting job seekers. However, it is vital to evaluate every aspect of diversity, including age and experience. Creating a foundation of diversity will do more than satisfy employees. It also dramatically improves an organization’s reputation and bolsters long-term sustainability.

Jason Carney is HR director at WorkSmart Systems.
Our nation’s veterans are valuable workforce assets, delivering leadership skills, organizational expertise and an exceptional work ethic while demonstrating a relentless pursuit of goals whether working independently or collaboratively in teams. Employers nationwide, particularly federal contractors and subcontractors adhering to the U.S. Department of Labor’s recommendation that they maintain a workforce consisting of at least 6.4 percent veterans, are realizing the value of hiring veterans.

Supporting veterans has been a pillar of Easterseals’ work since World War II. In 2018 alone, our nationwide network of 69 community-based affiliates provided services ranging from employment and child care to medical rehabilitation and mental health resources to more than 20,000 veterans and military families.

It has been our honor to use our expertise in responding to the needs of veterans and their families to ensure their well-being and success and to give back to those who have given so much to our country, to our communities and to our society at large.

Organizations interested in learning more about Military and Veterans Services at Easterseals can visit www.easterseals.com/our-programs/military-veterans or contact the Easterseals in their community.

Tap Into the Talent and Skills of Veterans Transitioning to Civilian Careers

By Angela Williams
So, it is no surprise that employers frequently ask Easterseals how they can tap into this talent pool in their communities and what they can do to ensure the successful transition of a veteran to civilian life through employment.

Here, allow me to share a few recommendations for recruiting and hiring veterans.

**Tailor Employment Services to Individual Veterans**

In many cases, the most valuable support that a veteran can receive comes from a job coach or mentor. Easterseals Southern California specializes in providing job coaching and mentoring to veterans through its Bob Hope Veterans Support Program. The California program is funded by the Bob & Dolores Hope Foundation, and volunteers and staff offer one-on-one employment services to meet veterans’ unique needs as they transition to civilian employment. Similar services are available through Easterseals affiliates in New Hampshire, Oregon and elsewhere across the country.

In addition to meeting with veterans to determine their interests, skills, desires and goals, mentors and coaches help program participants translate descriptions of military experience and skills into language that potential employers will understand. Significant differences exist between military nomenclature and business speak. Convincing them to eliminate jargon and spell out acronyms are essential first steps toward preparing veterans for their first post-military jobs.

The Veterans Staffing Network (VSN) of Easterseals DC MD VA goes further by doing actual placement. Since 2013, VSN has placed more than 2,200 veterans and military spouses in meaningful employment nationwide. The staff, who are also veterans and military spouses, do coaching and coordinate e-learning activities to determine optimal career opportunities for candidates prior to connecting them with employers who opt into the VSN’s corporate network.

**Make Offices and Worksites Accessible**

Each veteran is unique, and some may be entering the workforce with a disability. This is why Easterseals works with employers to evaluate the accessibility of their offices and worksites, as well as to ensure the availability of reliable transportation to work. Employees with disabilities must be empowered to thrive. Sometimes, an accessibility solution is as simple as reconfiguring desks; other times, assistive technology is needed.

Thankfully, assistive technology is becoming more readily available. With support from the Comcast NBCUniversal Foundation, Easterseals has since 2011 had the resources to provide more than 57,000 people with assistive technology solutions so they can live, learn, work and play in their communities.

Once accessibility issues are resolved, employers need to make sure employees with disabilities can commute with minimal difficulties. Lack of reliable transportation is one of the most-frequent barriers to workforce participation, so employers should consider what services are available from local and state transportation agencies. In the D.C. area, the Easterseals Transportation Group has supplemented such resources for decades.

**Do Not Neglect the Needs of Families and Caregivers**

Public discourse regarding the need to support military veterans often ignores veterans’ families and, for disabled vets, caregivers. Military spouses and children served the country in their own ways. Consequently, the most successful transitions to civilian life are inclusive of every member of veterans’ families.

Offering family-friendly benefits to new employees goes a long way. These can include child care and afterschool programs, coverage for respite care and health and wellness programs.

Angela F. Williams is president and CEO of Easterseals, the world’s preeminent charitable organization serving people with disabilities. She is also a highly decorated U.S. Air Force officer who boasts 30 years of leadership experience in the nonprofit and corporate sectors. You can reach Williams at angelawilliams@easterseals.com.
Check Your Bias, Then Hire More Deaf and Disabled Talent

By Chris Soukup

September is National Deaf Awareness Month in the United States, and this year’s International Week of the Deaf will be observed starting on September 23. With October being designated National Disability Employment Awareness Month (NDEAM), employers have two months to reflect on where they are and where they are going in terms of making the most of the deaf and disabled talent available in their communities.

Federal efforts to bring attention to the issues of hiring disabled people and increasing disability inclusion in employment go back to at least 1945, when the return of thousands of disabled veterans from overseas prompted the organization of the first NDEAM events.

Three-quarters of a century later, awareness about the need for inclusion has improved, but millions of disabled or deaf people like me continue to face a sobering reality: Even in a strong and thriving labor market, many businesses still do not imagine us as part of their workforces, or even part of their diversity initiatives—forgetting that disability is diversity.

With the CDC reporting in 2018 that one in four Americans experiences some degree of disability, it behooves employers to telegraph that they care about training and retaining disabled employees.

Persistently Underemployed and Unemployed

Indicative of the harsh reality in which disabled Americans of working age live, the U.S. Bureau of Labor Statistics reported in 2018 that 74 percent of persons without a disability aged 16-64 were employed, but just 30.4 percent of disabled Americans in the same age cohort were working. Workers with a disability also worked part-time at a higher rate than did their peers without disabilities (31 percent and 17 percent, respectively). Proof that people with disabilities saw value in themselves when others did not comes from the fact that 10.2 percent of disabled workers were self-employed while only 6.1 percent of workers without a disability were self-employed.

Being able to see value where it lies without biases and misconceptions is the key to relieving the pervasive economic suppression too many talented deaf and disabled people experience. Today, more than 70 percent of the deaf community is unemployed or underemployed, with many having given up trying to find a job and with those who do find work being underutilized in their positions. This is small wonder, as deaf Americans face discrimination trying to get or hold jobs, especially jobs of consequence. They receive few opportunities to develop and grow their skills, and even fewer to manage and lead others.
Fortunately, we can point to examples of employers enabling deaf success and of deaf leaders succeeding. The emergence of more deaf leadership at the executive level in the corporate world can be seen with Jenny Lay-Flurrie, who is Microsoft’s chief accessibility officer, and Jeffrey McCaw, who is CFO at Goodwill Industries International.

There are also a handful of other businesses that see the value in deaf workers and are more likely to hire them. Starbucks recently opened its first Signing Store in the United States in Washington, D.C., following Malaysia’s lead in establishing the first-ever Signing Store with a new outlet on the way. On a smaller scale, Mozzeria, a deaf-owned pizzeria, committed to employing an all-deaf workforce at its San Francisco restaurant. With substantial backing from the CSD Social Venture Fund, Mozzeria will be expanding to more than a dozen locations nationwide.

But we have not yet reached a critical mass where it is enough for meaningful change.

**Strong Returns on Investments**

Spreading awareness through stories of success is one part of addressing the problem. We also need to highlight the importance of seeing that, with deaf workers in particular, more is possible.

For instance, despite severe labor shortages in the transportation industry, many would-be deaf truck drivers and pilots find themselves unable to even apply for open positions because they face unnecessary hurdles and restrictions when it comes to getting licensed. Similar barriers to hiring deaf people have been identified in the military and the security field. Most of the restrictions seem rooted more deeply in fears and false assumptions than in reality, as history has proven time and again that deaf people are as capable as hearing people.

The U.S. Department of Labor noted in a 2008 report on employers’ perspectives regarding people with disabilities that only 13.6 percent of businesses actively recruited to hire people with disabilities. More than a decade has passed since then, with organizations such as Disability:IN and the American Association of People with Disabilities in partnership with Accenture leading the charge to improve that number. *Getting to Equal*, a 2018 study published through this partnership, shows that hiring disabled workers transforms the workplace in positive and surprising ways. Worker retention rates improve and employers see a positive impact on their bottom line, with revenues growing by 28 percent on average.

**Act Now**

I urge organizational leaders and recruiters to take an honest and hard look at their diversity and inclusion practices. I especially encourage organizations to work with groups like my own to erase the persistent stigma, biases and misperceptions about deaf and disabled workers.

Employers can start by investing in deaf and disabled workers and leaders. These individuals have proven to be loyal and dedicated when giving opportunities to use their talents, and rewarding those traits will provide incredible returns on your investment. Enabling workplace advancement and fostering leadership skills among these individuals will surely help put a dent in the underrepresentation of deaf and disabled people in managerial positions.

It also cannot be said often enough that disability is diversity. It is time to give differing abilities equal space along the diversity and inclusion spectrum. Publicly declaring the organization’s commitment to hiring and empowering deaf and disabled people, as well as implementing changes to embed more inclusive recruiting practices, will establish an example for others to follow.

The United States is home to a large untapped pool of millions of talented deaf and disabled individuals. Hiring employees with disabilities is proven to create value, opportunity, a vibrant workplace culture, a more robust bottom line and returns on investment. What are you waiting for?

Christopher Soukup is CEO of Communication Service for the Deaf, an advisory committee member for Disability:IN’s Disability Equality Index, a National Technical Institute for the Deaf Development Foundation board member and a leading advocate for social change and workplace equality. You can connect with Soukup via LinkedIn.
Old-school approaches to enhancing employee wellness and morale are no longer relevant. Times have changed, and we need to change with them.

Technology has drastically transformed how we work, how we communicate and our levels of accessibility. Burnout has officially been characterized as a diagnosable condition, and the U.S. suicide rate hit its highest point since World War II during 2017. Our always-on culture has fundamentally changed our relationship with mental wellbeing, meaning that policies created even a few years back are now outdated.

As mental health conversations are increasingly embraced at work (and outside of it), employers need to look beyond their current wellness packages that lack tangible guidance and relatable resources. It is time to implement internal programs focused specifically on mental health support and education. Doing so will benefit individual workers and create healthier cultures that boost productivity and minimize liability.

Strategies at the Top Dictate the State of Wellness Below

It is easy to point fingers at underlying factors like the broken health care system or too little leadership from elected officials, but the hard truth is that the lack of functional and accessible workplace mental health plans is a huge risk for employers. Having policies and procedures in place to address issues of mental health and well-being can prevent tone-deaf responses to important social issues or employee walkouts over diversity and inclusion concerns like those that occurred at Google during the fall of 2018. It will also play a monumental role in how employees perceive the organization they work for.

So, while the workplace has become a battleground of cultural and financial liability, it is also one of the best places to enable a culture of authentic leadership that takes the issue of mental health seriously. This starts with building capacity...
around emotional intelligence at the leadership level so that the programs that get implemented resonate with employees because they feel like they have been developed for “real” people rather than generated from abstract research or taken from an outdated training manual.

So how do organizations implement emotional intelligence?

I discuss this regularly with my own team, and we have realized that it needs to come from the top-down. In full transparency, I struggle with obsessive-compulsive disorder and was in the workforce for well over a decade before I received a proper diagnosis. Had I been encouraged to better understand my own mental health earlier in my career, I could have brought far more of myself to work each day. And, in doing so, been a better support system for team members in need.

A Lack of Emotional Leadership Leads to Fewer Safe Mental Health Spaces

Conversations around mental health don’t cost workplaces productivity when they happen, but rather when they do not happen. And therein lies the problem.

I am not the only one who thinks so. As Cathy Light, CEO and founder of the Liderança Group workplace wellness consultancy states, “Employers are not in-tune with their employees, and that’s where the greatest opportunities [for shaping workplace wellness] begin. Eliminating the stigma and recognizing warning signs can contribute to workplaces that offer greater balance and a brighter culture.”

If we’re not creating safe spaces to address mental health in what can be very stressful and tense work environments, we’re risking lost productivity, increased liability and low morale. It takes emotional intelligence to even want to address these spaces (or the lack thereof), but also to enact procedures for what to do next.

Leaders need to couple emotional intelligence with actionable plans for the effects to be felt throughout the organization. As a 2019 Gallup study found, “emotional intelligence” is really just a buzzword unless there is some kind of “outcome-focused development plan” to support it.

How to Put Emotional Intelligence Into Action

Here are three ways to move emotionally intelligent policies past modules and into decisive action.

- **It’s about relationships, not yoga or perks.** Better openness between managers, leaders and employees can help foster a culture that destigmatizes mental health. An authentic dialog can make a huge difference and break down barriers.

- **Stale policies are the same as silence.** Keep policies relevant by having frequent conversations around ways managers and employees can address workload, stress levels and productivity to better assist in the long term.

- **Address the steps to doing better, immediately.** Healthy workplaces designate levels of intervention. When conversations do need to move forward, procedures are clearly outlined and resources are available.

One forecast states that employer spending on workplace wellness in the United States will top $15.5 billion by 2024. This clearly indicates that creating environments that boost productivity, reduce liability and help employees thrive is a priority. But for all that investment to be justified, senior leadership needs to also invest in destigmatizing mental health, and this starts with up-leveling their own emotional intelligence.

---

Aaron Harvey is a co-founder of Made of Millions, a foundation and mental health platform dedicated to empowering employees and organizations with information and strategies that help them fight stigma and build supportive, inclusive work environments. Harvey is also an ad industry vet who has conceived and managed campaigns for clients as varied as Carnegie Hall, Univision, Sweetgreen and Rihanna. You can connect with via LinkedIn.
U.S. employers are receiving more requests for accommodation. From “No heavy lifting” and “Can’t work with supervisor” to “Limited bending” and “No twisting,” how is an employer to make a decision about what is reasonable to accommodate? When it comes time to meet with an employee to determine if they can be accommodated, there is one definitive must-have: detailed and clear data.

This includes agreed-upon data that explains both what the employee is medically capable of and what working the job consists of. Such information is often taken from an Essential Functions Position Analysis, or EFPA. A good EFPA includes an easy-to-use summary of the functions of a specific position, including the core purpose of the position, a description of the work environment and conditions, a list of the skills an individual must possess and the motions an individual must perform, and the mental and emotional demands of the position.

Also valuable in assessing workers’ compensation claims, EFPA do not replace existing union-negotiated job descriptions. Rather, they sit alongside job descriptions and provide information on essential functions that job descriptions typically do not include. An EFPA can be consulted regarding, for instance, exactly how much weight someone in the relevant position must be able to push or pull, how often a person in the position bends at the waist and how many hours the person typically drives as part of their job.

Generally, EFPA are good for approximately 10 years, and they only need to be rewritten when the job changes significantly or if technology changes the way a job is performed. Employers can also group similar jobs together to gain efficiencies when building a bank of EFPA.
From beginning to end, an EFPA often works as a guidepost throughout the disability interactive process. EFPA are often critical in determining where reasonable accommodation discussions need to begin—for example, pointing to what specific medical documentation is needed from providers to substantiate the need for an accommodation. An EFPA is also brought into an accommodation meeting and compared against how a candidate or employee’s work restrictions may impact the demands of a position.

Many employers rightfully focus on an employees’ capabilities while weighing a requested reasonable accommodation. Doing that while only consulting a standard EFPA can make the interactive process less meaningful. The problem arises from a lack of real-life information.

An EFPA describes the traditional physical, mental and emotional demands of a given job classification. It is not written to describe the way a specific individual employee performs tasks, but rather as a summary of how a type of job is theoretically done. Each employee may perform the job slightly differently from others in the job classification, but the work they do, the general way they do the work and the time spent doing the work should be similar. Utilizing ranges in frequency and duration to account for expected differences among individuals can improve the EFPA’s usefulness in the interactive process.

Because an EFPA is a straightforward collection of data and not a personal document, using it as an established yardstick often helps both the employer and employee evaluate the need for and reasonableness of a requested accommodation in a less-emotional and more practical way. And, because of its standardized nature, employers can use the document again and again for different employees when evaluating work restrictions based on medical needs.

Rachel Shaw is the author of The Disabled Workforce: What the ADA Never Anticipated and the founder and president of Shaw HR Consulting, Inc., which offers training, programming and consulting services related to disability compliance. You can contact her at rachel@shawrconsulting.com.
The ELI Group Leadership Lab for Women is a development program designed to build leadership capability, enhance professional influence, and foster accountability for behavior change.

www.theELIgroup.com
Job burnout is a very real epidemic, especially at organizations where leadership glamorizes working every waking hour, minimizing breaks and making sacrifices for the sake of professional success. While hard work and sacrifice are required in many cases, having nothing else in one’s life can become deadly.

No matter how gifted or devoted an employee may be, their talents and work ethic will do nothing for them if they feel beaten down and worn out. This is why preventing job burnout needs to a paramount concern.

Recognize the Symptoms

Most people are intellectually aware that job burnout is something to be avoided. There is, however, a vast difference between possessing a surface-level awareness of the problem and fully understanding which symptoms signal the onset of job burnout. To be clear, job burnout does not set in overnight. And when it hits, job burnout negatively impacts an employee’s emotional, mental and physical states. A series of decisions to place work above well-being sets the stage for job burnout. As the adverse consequences of this poor decision-making pile up, strain and stress gets to be too much to deal with, and the afflicted individual begins to experience real trouble.

A few of the more-readily apparent and daunting symptoms of job burnout are

- General impatience and irritation with coworkers and clients
- Lack of energy
- Decreased productivity
- Trouble sleeping at night
- Overconsumption of alcohol or drugs
- Headaches, stomachaches and other physical pains
- Difficulty with concentration

Clearly, job burnout is not pleasant for the afflicted employee. It also hurts the larger organization.

Aim for Balance

The steps an individual can take to avoid job burnout mostly boil down to one thing—achieving balance between work and relaxation.

Working hard is appreciated and can produce great results. Likewise, having a strong work ethic, staying the course and going the extra mile are commendable and amazing attributes. However, a balance must be struck. Having no life outside of work actually hinders success.

No matter how ambitious or determined an employee is, they need time to rest and recharge, both physically and mentally. Believe it or not, balancing work with rest and other forms of self-care is not that difficult. A person who constantly sits to complete paperwork will benefit from going to the gym or taking a fitness class a few times per week. A manager or executive who is constantly surrounded by other people can find balance by occasionally taking a walk in the park or doing something else they enjoy in solitude.

Paradoxically, taking time to exercise different parts of the brain delivers significant returns in this regard. It is a great idea to step
Ensuring Gender Pay Equity Supports Organizational Well-Being

CompDoctor™: This month, we ask the questions. Actually, we synthesized several related inquiries from readers because it does not make sense to tackle the issues in isolation. So, here goes.

Most leaders are familiar with the gender pay gap, but should you think about it in the context of your public sector organization? You might be inclined to discount the possibility, but the question deserves consideration. Why? What benefits come from ensuring gender pay equality, and why does evaluating pay equity make sense as a best practice for fostering overall organizational well-being?

Understand the Pay Gap

The gender pay gap is the increasingly recognized phenomenon where female employees receive less compensation on average than their male counterparts who perform essentially the same work. In the United States during 2017, according to the Institute for Women’s Policy Research, women received about 82 percent less in weekly full-time earnings than what men in equivalent positions earned.

But a nationwide study does not reflect compensation practices in a specific organization. Women in your department or agency may be paid the same as men, or they may be paid less. How can you know? And what should you do about it once you find out?

Conduct Salary Research

The first step toward dealing with a gender pay gap is to learn whether it exists and how bad it is. This is where salary consulting becomes important. A salary consultant is an expert in determining what various positions are worth, how to attract better candidates, how to pay employees fairly and how to evaluate overall compensation strategies.

A salary evaluation can accurately assess positions and payment within an organization. You may have employees in no equivalent positions by which to judge pay for executives, managers or within certain workgroups or offices. Finding comparable positions outside the organization can also be difficult without knowing more about peer organizations and their employees’ functions. Which is a good argument for partnering with a salary consultant who knows your market.

Management Leads the Way

Executives who truly want to uncover and change an unfair compensation situation within their organization must take decisive action. By being transparent about findings that indicate how the organization can do better to pay fairly, leaders can involve employees in generating suggestions for how to address gaps. Leaders can then revisit the pay gap issue and report back on how their initiatives are improving the situation.

When taking this approach, it is essential to clearly define measurable goals to guide managers in reducing pay gaps. For example, it may work to announce a salary audit coming in one year and, thereby, create the expectation that all managers will reduce their pay discrepancies.

Leaders should consider creating goals for hiring managers, as well. For example, boosting female promotions to a given level as part of an organizational well-being initiative can encourage all employees to learn skills and gain new certifications.

Improve Standardized Practices

Hiring and promotion are two key methods for addressing a gender pay gap. Can the organization boost female involvement by advertising in publications or associations led by women? How about encouraging the promotion of women in male-dominated fields? Do applications, forms, hiring questions and performance evaluations reflect bias toward women, mothers or others juggling work-life challenges?
Often, gender-based inequities do not result from overt policies or intentional bias. Unconscious tendencies to devalue the contributions of some people while overvaluing the achievements of others drive much inequality in the workplace and elsewhere. Since this can remain unrecognized until someone with a fresh and independent perspective points it out, consulting with an experienced expert to discuss ways to standardize hiring and uncover unacknowledged bias can improve employee and organizational well-being.

Harness the Benefits of Pay Equality

Identifying and reducing a gender pay gap can be time-consuming and take years to complete. So, why should an organization attempt it?

Organizations that fail to fairly compensate a group of employees for their work limit their pool of executives, skilled workers and tradespeople. This translates into missing out on talented employees and managers who will advance the organization. At the extreme, unresolved pay inequities can expose an organization to legal action and negative media coverage.

As more of a day-to-day concern, however, problems with pay equality lower morale among existing staff, which leads to employee disengagement. An organization that pays men and women unequally may suffer from lower productivity, higher turnover and lack of creativity and initiative.

The message is that each organization should make conducting a salary study part of its compensation best practice. Doing the study in cooperation with compensation experts will make it easier to draft a plan to recognize and correct pay discrepancies in ways that help increase employee engagement and improve the well-being of the organizational overall.

The Comp Doctor™ is the team of Ronnie Charles, who is the national managing director for public & higher education sectors at Gallagher, and Jim Fox and Bruce Lawson, who are managing directors in the human resources and compensation consulting practice of Gallagher. They specialize in helping governments and organizations fix their compensation and classification systems. Fox and Lawson are also the authors of How to Decide What People Get Paid: Secrets From the CompDoctor™ (IPMA-HR). If you have a question you would like to see answered by the CompDoctor™, please contact ronnie_charles@ajg.com.
Make Measuring Employee Engagement a Priority

By Bob Lavigna, IPMA-SCP

Results from recent research on the public-sector workforce reveal contradictory—and concerning—results. While HR leaders continue to believe that employee engagement is a high priority, most of their organizations are not measuring engagement.

The State and Local Government Workforce: 2019 Survey was jointly conducted by IPMA-HR, the Center for State and Local Government Excellence (SLGE) and the National Association of State Personnel Executives (NASPE). The report summarizes the views of 335 IPMA-HR and NASPE members from across the nation. About 78 percent of respondents work in local government, and 15 percent work in state government. This study repeats a similar survey administered in 2018.

Interest in Engagement Is High, but Measurement Is Low

The survey included two items with implications for employee engagement. One was “Looking ahead, which workforce issues are important to your organization?” Respondents were also asked to list “Programs used to encourage employee recruitment and retention.”

As they did in 2018, HR leaders and professionals in 2019 ranked employee engagement as one of their top priorities, but few reported that they actually measure it. The table below shows these results.

While 84 percent of 2019 respondents ranked engagement as important, another 15 percent described engagement as somewhat important. In other words, 99 percent of respondents rated engagement as important to some degree.

Two other issues survey participants put at the top of their lists also link to employee engagement. These are

- Recruitment and retention of qualified personnel with needed skills for public service (87 percent rated it as important) and
- Employee morale (86 percent important).

Research shows that engagement is a key driver of retention, and “morale” is another way of describing engagement; hence, the almost identical responses for the questions about engagement and morale.

However, the rest of the story is that the percentage of respondents who reported that they conduct engagement surveys (let’s not worry about the difference between engagement and satisfaction for now) declined from the already-low 30 percent in 2018. This needle is moving in the wrong direction.

My take on this result is that a large and growing majority of HR leaders and professionals believe that they think engagement is important. In contrast, few are measuring it.

This is concerning because we can’t manage what we can’t measure. Not only is measuring the level of engagement important, so is collecting employee data to understand what the most-important influences on employees’ engagement are. If an organization doesn’t know what drives its employees’ engagement, how can it decide what steps to take to boost engagement?

For example, the book 180 Ways to Build Employee Engagement includes great ideas to increase engagement. Another book, 1,501 Ways to Engage Employees, takes the number of ways to improve engagement to another level.

Indeed, many recommended tactics to improve engagement have emerged from what has become an employee engagement cottage industry. The challenge in this often-confusing landscape is to determine empirically what will work in your organization. Otherwise, what’s the alternative? To guess? Maybe start a newsletter, conduct more training, hand out T-shirts or organize some social or team-building events?

These tactics might work in the short term, but as I wrote in my book, Engaging Government Employees, free pizza and Coke on Friday afternoon is not an engagement strategy. Not even if it is upgraded to free pizza and beer or wine on a Friday evening. Perks like this are nice, but they will not build long-term engagement.

Or maybe the answer is to work through the 180 (or 1,501) very good suggestions to improve engagement until you find one that does the trick. That could take a while. Plus, without measuring engagement, how will you even know what has worked?

The real answer is to directly measure engagement in your organization, identify what matters most to your employees and then act on the insights.

My organization, the Institute for Public Sector Employee Engagement, is a proud member of the engagement community. However, our approach to engagement is grounded in our core mission as an independent and self-supporting government agency that

<table>
<thead>
<tr>
<th>Engagement Interest vs. Engagement Measurement (% Who Agree)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2018</strong></td>
</tr>
<tr>
<td>Employee engagement is an important issue</td>
</tr>
<tr>
<td>Employee satisfaction surveys are used</td>
</tr>
</tbody>
</table>
works only with other public-sector organizations.

As we work with specific government organizations, our employee engagement strategy is to measure engagement through an employee survey, analyze the results to identify the key drivers of engagement, and then take action on the issues employees say are important to them.

In other words, we don’t guess. We measure and analyze. And then we base actions to improve engagement on what employees say matters to them.

**Engagement Continues to Be Low, Especially in Government**

Each year, our Institute conducts a national survey to assess the level of employee engagement across the U.S. workforce. We survey a random sample of employees in a variety of occupations in both the public and private sectors, including K-12 public education. Our most-recent survey was conducted in late 2018.

Our results, which are summarized in the graph below, reflect the impact of the failure to systematically measure and improve engagement. Here is what we found, by sector and level of government.

These results, which represent employees nationwide in each category, show that engagement is low across the board, but especially in government. More than one in five public-sector employees are not engaged. Local government employees fare better than their peers at other levels of government, but not by much.

So, even though 99 percent of the government HR folks who responded to the SLGE survey ranked engagement as either important or somewhat important, the actual level of engagement tells a far different story. Therefore, are the SLGE survey responses about engagement being a priority just lip service? Reminds me of the Mark Twain quote, “Everyone talks about the weather, but no one does anything about it.” And that was before global warming.

Fortunately, improving engagement is easier than doing something about the weather. But doing something requires measuring engagement.

**Engagement Matters**

But why bother? As the SLGE survey results suggest, there is a strong business case for why organizations, including in government, should focus on engagement. Decades of research have proven that improving engagement can improve organizational performance. This includes outcomes that matter in government such as achieving strategic goals, delivering responsive customer service, retaining good employees, improving attendance and even keeping workplaces safe.

Our annual survey has consistently shown that highly engaged employees are up to three times more likely to believe that

- Their organization is successfully achieving its mission and
- They can influence outcomes like cost, quality and customer service.

Engaged employees are also more innovative and creative. According to research conducted by Gallup, 59 percent of engaged employees believe their jobs bring out their most creative ideas. Just 3 percent of disengaged employees believe that their jobs allow them to be creative.

The impact of employee engagement in government is summarized in the “engagement value chain” shown below.

As this model shows, when a public sector organization improves its performance by improving employee engagement, the agency’s customers will be more satisfied with the services they receive. This leads to more trust in government. And we need to improve the public’s trust in government.

Moreover, when public servants believe that the people they serve trust them and their work, they will likely feel more engaged.

In other words, this is a virtuous cycle. The beneficial impacts of engagement go beyond the workplace. Research, including by our Institute, has shown that highly engaged employees feel better about their lives in general. What happens at work affects how people feel and behave at home. If employees are engaged at work, they are likely to have a higher level of overall well-being.

---

CONTINUED ON PAGE 28

**Employee Engagement Across the U.S. Workforce, 2018**

<table>
<thead>
<tr>
<th>Sector</th>
<th>Fully Engaged</th>
<th>Somewhat Engaged</th>
<th>Not Engaged</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Sector</td>
<td>40%</td>
<td>35%</td>
<td>25%</td>
</tr>
<tr>
<td>Gov’t. Overall</td>
<td>42%</td>
<td>39%</td>
<td>29%</td>
</tr>
<tr>
<td>Federal Gov’t.</td>
<td>42%</td>
<td>39%</td>
<td>29%</td>
</tr>
<tr>
<td>State Gov’t.</td>
<td>42%</td>
<td>39%</td>
<td>29%</td>
</tr>
<tr>
<td>Local Gov’t.</td>
<td>37%</td>
<td>34%</td>
<td>29%</td>
</tr>
</tbody>
</table>
Employee Can Proceed on Claim of Retaliation Following Sexual Harassment Settlement

A former Pennsylvania Department of Insurance employee can proceed with her lawsuit accusing the state of sabotaging her employment prospects after she settled a sexual harassment claim against her former male supervisor. The U.S. District Court for the Middle District of Pennsylvania issued this ruling in Leese v. Commonwealth of Pennsylvania, Department of Insurance (No. 3:17-cv-00274) on July 18, 2019.

The plaintiff, Cherie Leese, began working for the department in 1988. After alleging that her supervisor sexually harassed her, Leese filed an internal complaint and agreed to a negotiated settlement under which she would resign and refrain from seeking “employment in any agency under the Governor’s jurisdiction.” Once Leese officially resigned, the department placed a code in her personnel file that indicted “voluntary resignation contact former agency.”

This code allowed the department to monitor whether Leese was applying for jobs with entities under the governor’s jurisdiction. However, other agencies also have access to Leese’s electronic personnel files, including the specific code the department used for her resignation. Moreover, all state agencies saw the coding in Leese’s personnel file, raised questions about it, and spoke with insurance department attorneys when they called about her employment history.

Leese is alleging that the code itself and having lawyers answer queries raised red flags for potential employers. She claims the coding and the department’s handling of it constitute retaliation against her for reporting sexual harassment and reaching a settlement. Leese is also asserting that other employers were interested in hiring her but their interest ended when they saw the code in her personnel file or further inquired about the code.

The court held that Leese entered into a settlement agreement in which the insurance department specifically agreed not to interfere with her attempts to seek employment with a state agency outside the governor’s jurisdiction. Thus, the court reasoned, Leese would have a reasonable expectation that the department would not interfere with future employment prospects. By applying the separation code that it did, however, the department did in fact affect Leese’s chances of landing another job with the state, or at least created confusion on the part of potential employers.

The court explained that an employee who knew that filing and prevailing on a charge of discrimination could have the outcome of finding it difficult to procure future employment would feel dissuaded from reporting discrimination. While the department asserted that it selected the coding because it was the best option available, the court held that it could not determine if the department’s stated reason was credible or whether the intent was to hamper Leese’s employment prospects. As a result, the case will proceed to a jury trial.

Court Dismisses Allegations of Disparate Impact From Background Checks

A global IT services company succeeded in petitioning the U.S. District Court for the Western District of New York to dismiss a racial discrimination lawsuit. Two plaintiffs had filed suit on behalf of themselves and similarly situated individuals, alleging that the company illegally screened out black candidates by “denying job opportunities to individuals with certain criminal convictions including felonies (or similar criminal classifications).” The court issued its ruling in Mandala v. NTT Data, Inc. (No. 18-CV-6591) on July 17, 2019.

Japan-based NTT employees approximately 18,000 people in North America. The two named plaintiffs, George Mandala and Charles Barnett, had applied and interviewed for positions with NTT, and both received job offers before going through the company’s full background check. The men are African American and have criminal convictions.

Mandala accepted an offer to work as a Salesforce developer and authorized NTT to perform a background check through a third party, pursuant to its policy. When the check uncovered felonies on his record, NTT withdrew the job offer, informing Mandala that it had a policy not to hire anyone who had been convicted of a felony. NTT did not seek additional information regarding Mandala’s convictions.

Barnett, who accepted a conditional offer of a web developer position, went through an experience similar to Mandala’s. NTT withdrew its employment offer upon learning of Barnett’s felony conviction and did not seek additional information.

In accusing NTT of following a policy with disparate racial impact, Mandala
and Barnett argued that African Americans interact with the criminal justice system at much higher rates than white individuals. The plaintiffs relied on statistics from the U.S. Department of Justice, the FBI and other public sources.

NTT argued that general population statistics provide an invalid basis for the plaintiffs’ claims because they are not representative of NTT’s applicant pool. The defendant company further argued that the plaintiffs had not alleged sufficient facts to show that NTT’s facially-neutral policy of not hiring convicted felons is related and proportional to the disparity in general statistics on African Americans being arrested and convicted for committing crimes. Further, the company argued that the general statistics are inadequate to show a relationship between the pool of applicants who are Caucasians with felony convictions and African Americans with felony convictions. The court agreed with NTT and dismissed the case.

Compensation, and he was also a Democrat. In 2009, he was appointed to a six-year term as commissioner, and he stepped down on April 30, 2015.

On Dec. 3, 2010, the newly elected governor, Terry Branstad, a Republican, demanded Godfrey’s resignation. Godfrey refused and met later that month with the governor-elect and with Branstad’s chief of staff and legal counsel. Branstad’s deputies again demanded in July 2011 that Godfrey resign and informed Godfrey that his salary would be reduced if he did not leave office.

When Godfrey still refused to resign, Branstad ordered his annual salary to be cut from $112,068.84 to $73,250. Godfrey also testified that administration officials ostracized and shunned him, and excluded him from meetings concerning workers’ compensation. He recounted threats made in private meetings and documented public, allegedly unwarranted, criticisms of his job performance.

For his part, Branstad testified that he wanted to replace Godfrey with a more business-friendly commissioner because business leaders and campaign donors complained that Godfrey too often ruled in favor of injured employees over employers. Branstad also testified that he had concerns about Godfrey’s fairness and desired to have someone on his team who supported his plan for Iowa. He further testified that he lowered Branstad’s salary because of his own concerns and the complaints from others.

Godfrey filed his lawsuit shortly after Branstad reduced his salary, naming several other state officials as defendants against claims of sexual orientation discriminated, retaliation and violations of his constitutional due-process rights when cutting his pay in an effort to force him to resign. Branstad claimed that he was not aware of Godfrey’s sexual orientation until after he filed this lawsuit.

While the case worked its way through state and federal courts, Branstad won reelection and, in 2017, accepted appointment as U.S. ambassador to China. Godfrey is now the chief judge on the board that decides federal workers’ compensation disputes.

A six-week jury trial ended with Godfrey receiving $1.5 million in damages for the discrimination and retaliation he suffered. The award includes $400,000 for past emotional distress and $100,000 for future emotional damages from the retaliation, as well as $800,000 for past emotional distress and $200,000 for future emotional distress for the denial of his constitutional rights.

The State of Iowa is responsible for paying Godfrey and for covering any additional fees. Taxpayers in the state have already spent more than $1 million on private defense attorneys.

Openly Gay Former Iowa State Official Recovers $1.5M Based on Then-Governor’s Discrimination, Retaliation

A former workers’ compensation commissioner recovered $1.5 million in damages on claims that the former governor discriminated against him due to his sexual orientation. Godfrey v. Branstad (No. 4:13-cv-00042-JEG) was originally filed in federal court in January 2012. It was decided by a jury in Iowa’s Jasper County District Court in mid-July 2019.

According to testimony, Chris Godfrey was the only openly gay employee at the Iowa Division of Workers’
to full-time status in March 2015. He alleges that McDickinson kissed him, requested sexual favors, found excuses to touch him, suggested that he leave his family for her, asked him to sit in her lap, called him at home at inappropriate times and made frequent sexual comments to him. Fuller also told the court that McDickinson implied that complying with her sexual requests would improve his employment situation.

Fuller refused all of McDickinson’s advances but was afraid to report the harassment to her supervisor, David Birchfield, because he had heard that Birchfield and McDickinson were in a sexual relationship.

In May 2015, Fuller sent an email to Birchfield and McDickinson reporting another employee’s complaint of racial discrimination and disproportionate discipline for African American workers. McDickinson terminated Fuller two days after that communication. The reason given was that Fuller “abandoned his employment while he was attending his son’s elementary school graduation during his lunch break.”

Fuller argued that employees were allowed to leave work on their lunch breaks and that he informed McDickinson before he clocked out from work that he had to attend the school function. McDickinson claimed that she did not hear him. Regardless, when Fuller attempted to return to work, he was denied reentry to the worksite and McDickinson did not answer Fuller’s calls.

Fuller sued Koch Foods and McDickinson for, among other things, assault and battery, sexual harassment, retaliation and gender discrimination. As to the assault and battery claim, McDickinson admitted to the sexual conduct but alleged that it was not “harmful” or “offensive.” Since, under law, sexual contact is alone enough to constitute battery, the court allowed Fuller to proceed with this claim.

As to the harassment claim, Fuller argued that Koch Foods allowed McDickinson to terminate him because he declined her sexual advances. While the company argued that Birchfield terminated Fuller, the court held that given the evidence that Birchfield and McDickinson were having an affair, a jury would not believe that Birchfield made that termination decision on his own. This was particularly likely because McDickinson was the individual who informed Birchfield about Fuller leaving the worksite during his lunch hour.

As to the retaliation claim, the court held that there was sufficient evidence that Fuller was retaliated against for reporting a claim of racial discrimination made by another employee. The court cited the fact that he was terminated two days after sending the email.

Last, as to Fuller’s gender discrimination claim, he alleged that female employees received less-severe discipline for “job abandonment” and/or leaving work without permission. The court acknowledge that disputes exist regarding whether Fuller had permission to leave work, whether he attempted to obtain permission to leave and whether he was disciplined similar to female employees. In light of this, Fuller is being allowed to proceed with his gender claim, as well.

McMichael Zammuto, a company culture and employment expert, is the CEO of Completed.com, a platform that levels the playing field for all people in business. You can connect with Zammuto through LinkedIn. —N
Rediscover the Magic of HR!
Ignite Your Spark in Miami!

2019 IPMA-HR INTERNATIONAL TRAINING CONFERENCE & EXPO

Start making plans now to attend the premier annual event for public sector HR professionals.

- Get inspired and energized by dynamic session speakers and interactive workshops.
- Gain valuable information and actionable strategies to deal with key public sector HR challenges.
- Sharpen your skills through must-attend educational sessions led by experts in the field.
- Network with your public sector peers at fun and exciting social events.

SEPTEMBER 22-25, 2019

VISIT US FOR MORE INFORMATION
www.ipma-hr.org/itc2019
MEMBERSHIP MATTERS

Member News

Mike Bleakley has been appointed the deputy director of the Wyoming Retirement System. Bleakley previously served as the staff director and executive administrator for the WRS, and he is an active member of the IPMA-HR Public Pension HR Professional Emphasis Group.

Daryl Hovland, IPMA-SCP, has retired from his position as the human resources director for the City of Grand Forks, N. Dak. A veteran of the U.S. Air Force, Hovland is a past member and chair of the IPMA-HR Certification Advisory Board. —XC

Missed a Webinar?

Visit IPMA-HR’s Archive and Catch Up Today

Your Association membership ensures free and unlimited access to our extensive archive of webinars on current and emerging public sector HR topics.

Bookmark on.ipma-hr.org/04572 and stream relevant sessions when your schedule affords time and bandwidth to get the most out of each learning and professional development opportunity.

The latest additions to the Webinar Library are

- Introduction to People Analytics
- Government Affairs Update August 2019
- Benefits Survey Best Practices
- Pay Equity Update
- Career Success as Defined by You
- Creating Healthy Organizations
- ADA and FMLA Update

Visit often. We add new streams monthly. —XC

IPMA-HR Welcomes Its New Members

The Association looks forward to serving and connecting these organizations and individuals who joined during July 2019.

New Agency Members

Crystal Moreno
Indio, Calif.

John A. Ruiz
Redlands, Calif.

Chiara Smith
Birmingham, Ala.

Yumika Terrell
North Las Vegas, Nev.

Roger Wheeler
San Antonio, Texas

Emily Wolf
Poway, Calif.

Jason C. Wong
San Francisco, Calif.

Vivian Yeung
San Francisco, Calif.

Elizabeth Zambrano
El Monte, Calif.

New Individual Members

Melissa Balino
Independence, Mo.

Yasmin M. Barnes
Dallas, Texas

Natalie Bowers
Sulphur, La.

Nina Brooks
Washington, D.C.

Catherine Burns
Baltimore, Md.

Jo Colombo
Hopewell, Va.

Lynn Lloyd Dooley
Cayce, S.C.

Blake Fields
Knightdale, N.C.

Lisa Harris
Alexandria, La.

Erin Keator
Mount Vernon, Wash.

Yvette Lee
Honolulu, Hawaii

Megan Ephong Lim
Los Angeles, Calif.

Colleen Martin
Angleton, Texas
Certification Corner

Congratulations to these newly certified individuals!

Mayra Alvarez, IPMA-CP
Human Resources Generalist
City of Odessa
Odessa, Texas

Liza Andre, IPMA-CP
Human Resources Manager
Southern Marin Fire District
Mill Valley, Calif.

Sharon Baines, IPMA-SCP
Human Resources Consultant
Department of Human Resources Management
Atlanta, Ga.

Thomas Borawski, IPMA-SCP
Senior Organizational Development Analyst
San Francisco Recreation & Parks Department
San Francisco, Calif.

Heather Buchanan, IPMA-SCP
HR Director
City of Pocatello
Pocatello, Idaho

Anne Butler, IPMA-SCP
Safety & Wellness Coordinator
City of Pocatello
Pocatello, Idaho

Sandy Cannon, IPMA-CP
Human Resources Manager
Town of Ashland City
Ashland City, Tenn.

Devan Cockrell, IPMA-SCP
Human Resources Generalist
City of Waynesboro
Waynesboro, Va.

Mackensie Cornell, IPMA-SCP
Human Resources Coordinator
City of Derby
Derby, Kans.

Dennis Dumovich, IPMA-SCP
Human Resources Director
Jackson County Human Resources
Kansas City, Mo.

Krista Freeman, IPMA-CP
Human Resources Technician
County of Humboldt
Eureka, Calif.

Emily Hague, IPMA-CP
Human Resource Analyst
City of Eureka
Eureka, Calif.

Sherry Harding, IPMA-CP
Director of Public and Employee Relations
Campbell County
Rustburg, Va.

Madeline Henry, IPMA-CP
Management Services Specialist/Deputy Board Clerk
Citrus Heights Water District
Citrus Heights, Calif.

Lana Hernandez, IPMA-SCP
Labor Relations Specialist
City of Miami Beach
Miami Beach, Fla.

Shavonne Holman, IPMA-SCP
Human Resources Officer III
Maryland Department of Juvenile Services
Baltimore, Md.

Tamiko House, IPMA-SCP
Senior HR Partner
Johnson County Government
Olathe, Kans.

Laura Judkins, IPMA-SCP
HR Benefits and Compliance Coordinator
City of Pocatello
Pocatello, Idaho

Amanda Kellam, IPMA-CP
HR Analyst
City of Plano
Plano, Texas

Jamie LeBow, IPMA-CP
HR Analyst II
East Bay Regional Park District
Oakland, Calif.

Sharron Lovemore, IPMA-SCP
Human Resources Manager
Golder Ranch Fire District
Tucson, Ariz.

Antonietta McCann, IPMA-SCP
Human Resources Specialist
City of Charlotte
Charlotte, N.C.

Maggie McFatridge, IPMA-SCP
Human Resources Specialist
City of Kirkwood
Kirkwood, Mo.

Tara Moore, IPMA-SCP
Human Resources Manager
Town of Parker
Parker, Colo.

Nichole Nicholson, IPMA-SCP
Human Resources Director
City of Waynesboro
Waynesboro, Va.

Ninnette Pintor, IPMA-CP
Human Resources Technician
City of Chula Vista
San Diego, Calif.

Brian Rowe, IPMA-SCP
Human Resources Manager 1
Tennessee Department of Safety & Homeland Security
Murfreesboro, Tenn.

Judy Salazar, IPMA-SCP
Sr. Personnel Analyst
City of Los Angeles
San Pedro, Calif.

Brittanie Schafer, IPMA-CP
Employee Relations Business Partner
Carver County
Chaska, Minn.

Jennifer Schooley, IPMA-CP
Human Resources Administrative Aide II
Sanitation Districts of Los Angeles County
La Mirada, Calif.

Paige Smuts, IPMA-CP
Human Resources Analyst I
Humboldt County
Eureka, Calif.

Michelle Tamez, IPMA-CP
Human Resources Analyst
City of Murrieta
Murrieta, Calif.

Lorenzo Timbol, IPMA-SCP
Senior Personnel Analyst
City of Los Angeles
Los Angeles, Calif.

Miranda Tolley, IPMA-CP
Human Resources Assistant
City of Charlottesville
Charlottesville, Va.

Andria Williams, IPMA-SCP
Human Resources Analyst
City of Columbus
Columbus, Miss.
Employee Engagement

CONTINUED FROM PAGE 21

A high level of engagement can also help government attract and retain talent. As the SLGE survey revealed, recruitment and retention is a top priority. Government spends a lot of time and resources recruiting talent. Public sector organizations must also devote time and resources to retaining the people they hire. Organizations that create conditions to enable their employees to feel good about their work (i.e., be engaged) can compete with anyone to attract and retain top talent.

If HR leaders and professionals truly believe that employee engagement is important, as the SLGE study has repeatedly shown they do, improving engagement needs to become a strategic priority. Government must close the gap between saying that engagement is a priority and actually measuring it, because understanding engagement is key to improving it.

Engagement is too important for government organizations to guess about how to create and maintain a high-engagement workforce. If the public sector fails to attract, develop, engage and retain talent, government itself will fail. The stakes are too high to let that happen.

Bob Lavigna, IPMA-SCP, is director of the Institute for Public Sector Employee Engagement with CPS HR Consulting, an independent and self-supporting public agency. The Institute provides employee engagement services to IPMA-HR members. Lavigna has more than 30 years of experience leading public-sector HR organizations. You can reach him at rlavigna@cpshr.us.

And former IPMA-HR president Bob Lavigna relies on research and his own Institute for Public Sector Employee Engagement’s work to urge readers to “Make Measuring Employee Engagement a Priority.” After observing that only measuring engagement will reveal what works to improve it, Lavigna stresses that “improving engagement can improve organizational performance. This includes outcomes that matter in government such as achieving strategic goals, delivering responsive customer service, retaining good employees, improving attendance and even keeping workplaces safe.”

Think about that. Are you ready to act?

Ed Lamb
Introducing IPMA-HR’s new Passpoint Guide

Setting a valid, fair and appropriate passpoint is often the most challenging activity associated with the test development and administration process. Agencies have a responsibility to use great care and consideration when setting a passpoint, particularly when hiring decisions are based, even in part, on exam results.

Efficient and effective, IPMA-HR’s Passpoint Guide provides you with step-by-step instructions and Excel spreadsheets on how to determine a threshold of acceptable performance on the score continuum. In other words: who should pass the test.

Learn more about the process and this invaluable guide on our website: ipma-hr.org/Passpoint.
Ensure you have the critical information you need to make long-term, successful hiring and promotional decisions with IPMA-HR's assessment products and services for police, fire, emergency communications and corrections.

ipma-hr.org/assessment | 1-800-381-TEST (8378)