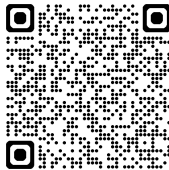




**OUR WHY?** To partner with local governments so that Texas communities are **STRONGER TOGETHER**

1

## Safety Matters. Stay Connected.



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2

# Tony Koriath 3.0 Human Resources Training

Day One Afternoon: Craig Barnes

*Note: We are not attorneys and cannot provide legal advice. We strongly encourage you to have discussion related to this topic with your attorney and review your policies, federal, state and local laws, including your charter, ordinances and resolutions.*



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3

What is  
**HUMAN**  
*Resources?*

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4



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5

When you tell a joke so funny,  
HR wants to hear it.



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6

# SUPERVISING

# Human Resources

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7


## Going With the Flow?

Manager: How's the work going on?  
ME: Just Going with the Flow!

The flow:




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8

## Pressure

When you're burnt out and stressed but you're still trying to give it your all at work



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9


## Functioning?

**Mind Core** · Follow  
4d · 🌐

When you ask me how I'm doing and I say "I'm functioning" this is what I mean

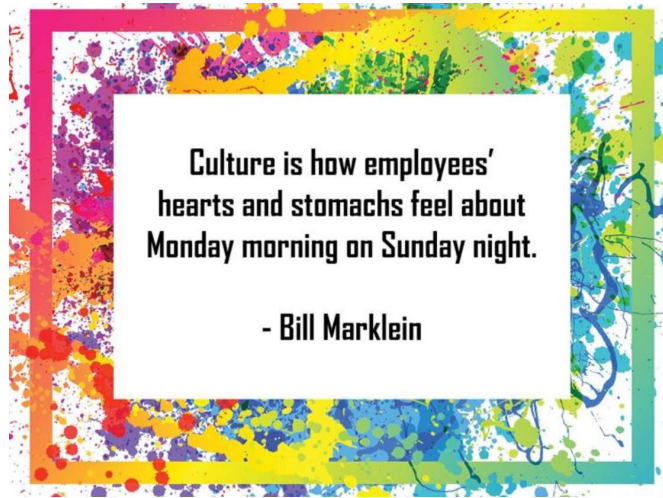


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## Sunday Scaries?



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11

## "The Great Detachment..." - Gallup.com

U.S. Engaged Employees Least Likely to Experience Four Major Negative Emotions Daily



Q3 2024

GALLUP®

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## Weight of a Glass of Water



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# Trust and Engagement

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# Building Trust

How long does it take to Build Trust?

*As Long As It Takes!*

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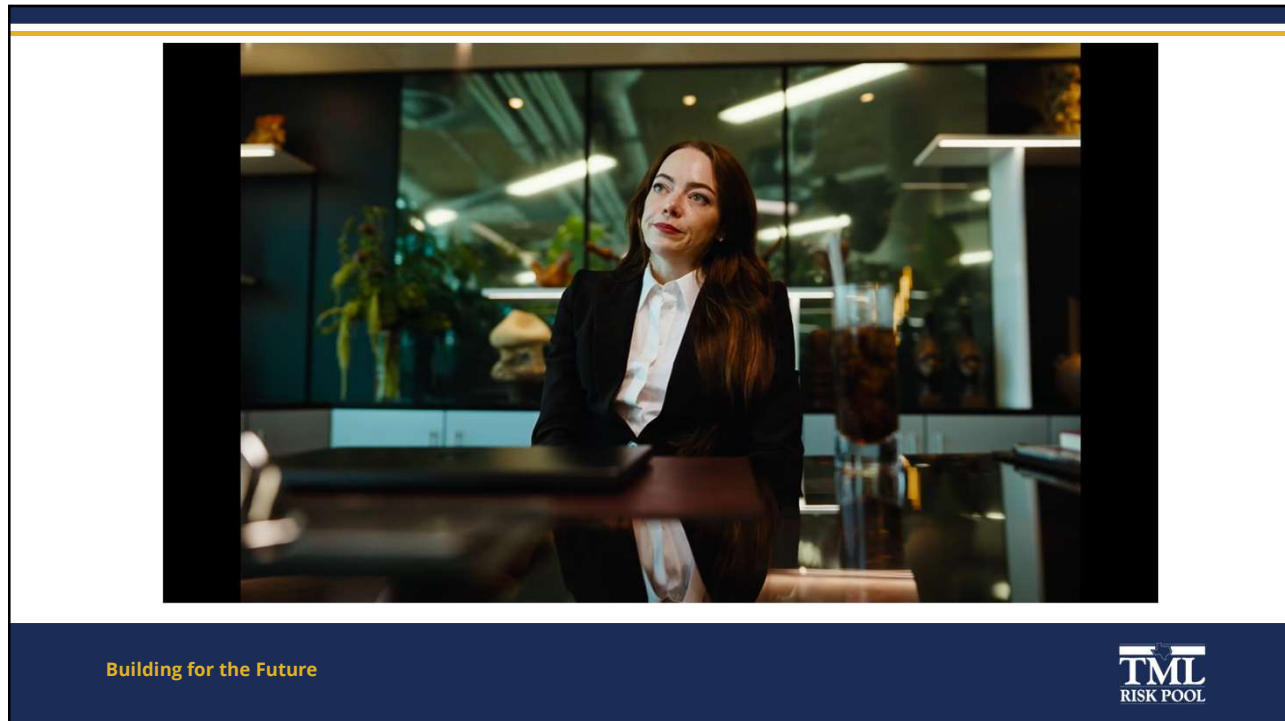
# Breaking Trust

How long does it take to Break Trust ?

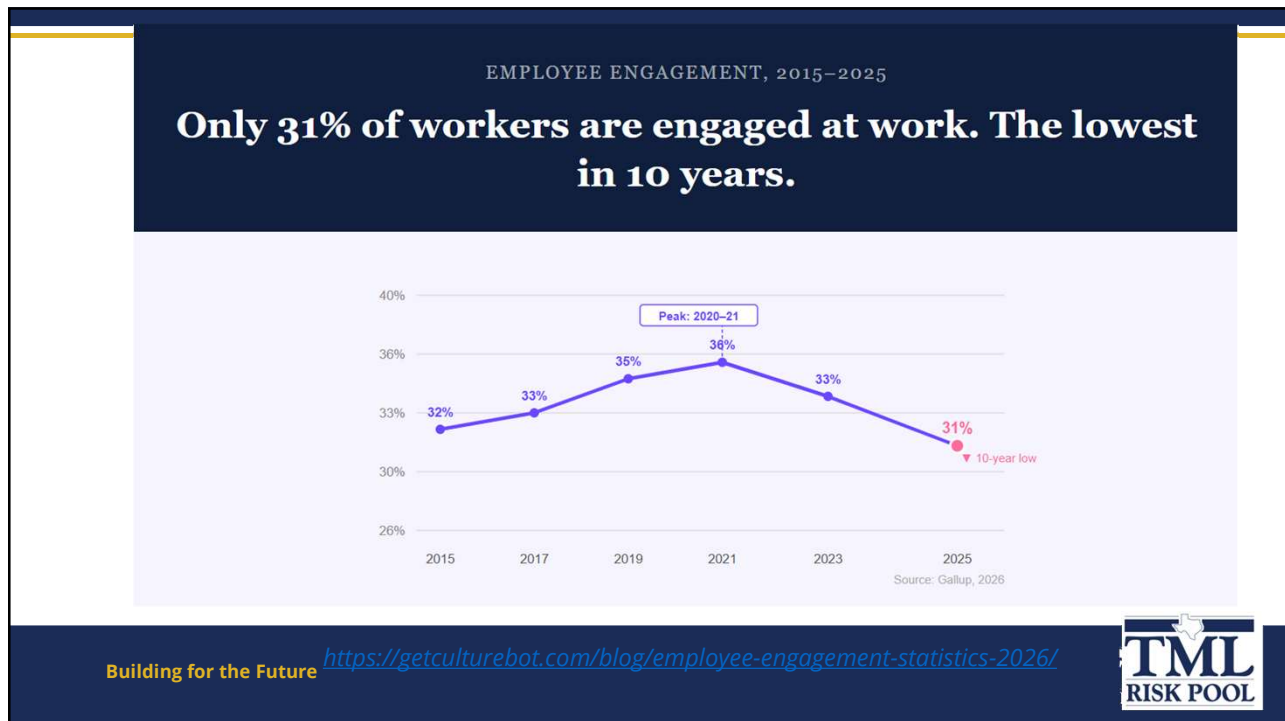
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*"If you hire people just because they can do a job, they'll work for your money. But if you hire people who believe what you believe, they'll work for you with blood and sweat and tears."* **Simon Sinek** *Finding Your Why*

According to **Forbes.com** *"Employee engagement is a measure of how committed employees are to the company, including how invested they are in its goals and its principles."*

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# First Steps to Engagement

## ASK

## SEEK

## ACT

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# ASK

*“The only true wisdom is in knowing that you know nothing.” – Socrates*

21

## **Importance of Asking Questions of Self & Others**

*“Questions are useful tools, they open lines of communications; give us information; improve interactions, facilitate analysis and diagnostics of a situation; allow us to propose our own ideas; help to understand the priorities of others; stimulate motivation to learn; motivate creativity and more importantly scientific research, explanations and its applications happen in part through questions and answers.”*

*The importance of asking questions and doing things for a reason – PMC*  
**National Library of Medicine**

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# Engagement and Psychological Safety

According to Dr. Timothy Clark, employees have to progress through the following 4 stages before they feel free to make valuable contributions and challenge the status quo.

- Stage 1 — Inclusion Safety
- Stage 2 — Learner Safety
- Stage 3 — Contributor Safety
- Stage 4 — Challenger Safety



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## 5 Signals of Psychological Safety

| 1                                                                                                                                                                                                                                             | 2                                                                                                                                                                                                                                | 3                                                                                                                                                                                                           | 4                                                                                                                                                                                                                                 | 5                                                                                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                  |                                                                                                                                                                                                             |                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                 |
| <b>Issue Visibility</b>                                                                                                                                                                                                                       | <b>Participation in Conversations</b>                                                                                                                                                                                            | <b>Leadership Response to Risk</b>                                                                                                                                                                          | <b>Follow-Through on Feedback</b>                                                                                                                                                                                                 | <b>Work Pressure</b>                                                                                                                                                                                                            |
| <ul style="list-style-type: none"> <li>• Concerns raised during planning, before problems escalate</li> <li>• Risks flagged proactively, without being asked</li> <li>• Mistakes debriefed with a focus on learning and prevention</li> </ul> | <ul style="list-style-type: none"> <li>• All voices heard, including the quieter ones</li> <li>• Decisions openly challenged and debated</li> <li>• Diverse perspectives actively sought before conclusions are drawn</li> </ul> | <ul style="list-style-type: none"> <li>• Concerns met with curiosity and genuine interest</li> <li>• Bad news welcomed as valuable information</li> <li>• Input sought before decisions are made</li> </ul> | <ul style="list-style-type: none"> <li>• Actions identified and communicated after feedback sessions</li> <li>• Speaking up visibly leads to change</li> <li>• A clear loop between what is raised and what is decided</li> </ul> | <ul style="list-style-type: none"> <li>• Protected time to raise non-urgent concerns</li> <li>• Workload visible to leaders and actively managed</li> <li>• Honest conversation valued as part of how work gets done</li> </ul> |

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# SEEK

*“Seek first to understand. Then be understood.”*  
– Stephen R. Covey

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## The BE's of SEEKING as a Leader

### BE

- *CURIOUS*
- *NON-JUDGMENTAL*
- *RESPECTFUL*
- *GENUINE*

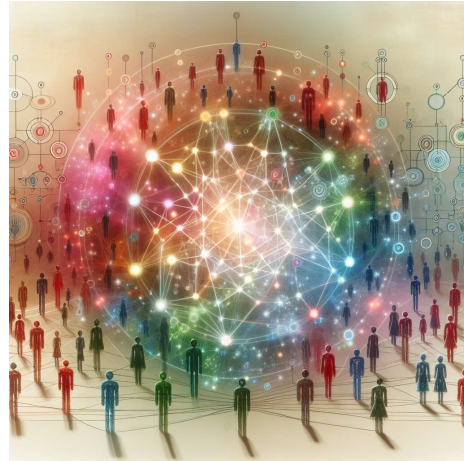


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## Relational Engagement

***“In Organizations, real power and energy is generated through relationships. The patterns of relationships and the capacities to form them are more important than tasks, functions, roles, and positions.”***

*Margaret Wheatly*



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# ACT

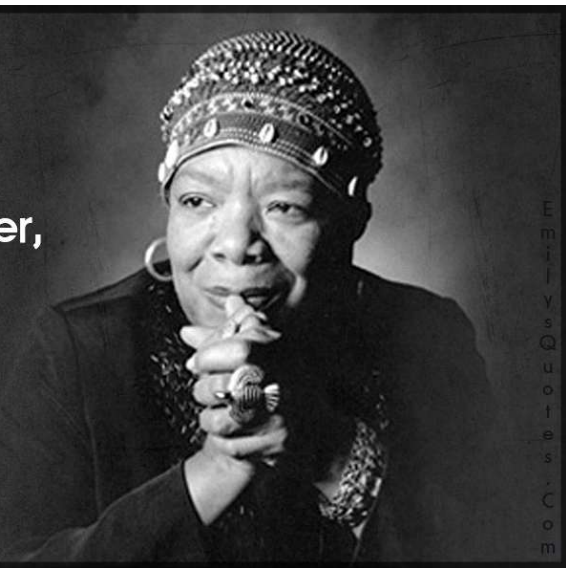
***“Don’t let what you cannot do interfere with what you can do.” – Coach John Wooden***

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## Ok You've Asked and Sought - What's Next?

Do the best you can until  
you know better.  
Then when you know better,  
do better.

-Maya Angelou



Emily's  
Quotes  
Com

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## Importance of Transparency in Engagement

*“Transparency in the workplace is crucial for fostering employee engagement. It creates a sense of trust between management and employees, allowing them to better understand company goals and objectives...Leaders at all levels should be proactive in promoting transparency to create a culture where employees feel valued and committed to their work.” – Forbes.com*

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# Organizational Culture

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## Organizational Culture - It's ALIVE but is it WELL?

*Workplace culture is a living organism that will create itself and grow without much effort. However, creating and sustaining a culture that is just not alive, but breathes life into others takes intentional effort and is a journey for the whole organization.*



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## Can You Hear the “POP”?

“**DISCOVER** your core values and purpose beyond just making money (core ideology) and combine this with the dynamic of **PRESERVE** the core/**STIMULATE** progress.”

Discover – **ASK**

Preserve – **SEEK**

Stimulate – **ACT**



James C. Collins *Good to Great: Why Some Companies Make the Leap... and Others Don't*

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## The 4 Letter Word TIME

Authentic Engagement requires the willingness and effort of **TIME**.

- *Taking*
- *Intentional (Purposeful/Genuine)*
- *Moments to*
- *Engage (Actively **Ask, Seek and Act**)*

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# Civility (RESPECT) in the Workplace?

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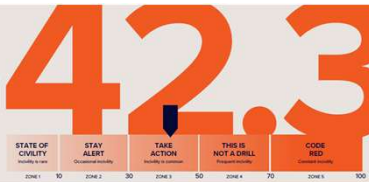


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## Civility Index - SHRM

### CIVILITY INDEX SCORE

SHRM's Q1 2024 Civility Index score is 42.3 out of 100, indicating that incivility is a common experience in the daily lives of U.S. workers. This signals an urgent need for people and businesses to take action to prevent incivility from escalating.



### INCIVILITY + DAILY LIFE

Our daily lives are saturated by incivility. We can do better.



### INCIVILITY + BUSINESS

Incivility takes a toll on business. You can't afford it.

66% OF U.S. WORKERS AGREE THAT INCIVILITY REDUCES PRODUCTIVITY

59% OF U.S. WORKERS AGREE THAT INCIVILITY CAUSES A DECLINE IN EMPLOYEE MORALE

### INCIVILITY + THE WORKPLACE

Incivility threatens a healthy workplace. Let's transform the world of work, together.



NEARLY 40% OF DAILY ACTS OF INCIVILITY OCCUR IN THE WORKPLACE



44% OF U.S. WORKERS WHO WITNESSED OR EXPERIENCED INCIVILITY AT WORK SAID THEIR COWORKERS WERE INVOLVED



ONLY 25% OF U.S. WORKERS BELIEVE THEIR MANAGERS ARE EFFECTIVE AT HANDLING INCIVILITY

### MORE THAN HALF OF U.S. WORKERS BELIEVE OUR SOCIETY IS UNCIVIL

Today the call for civility rings loudly, and it's our shared responsibility to foster respect and empathy that will allow people and business to thrive. We may not always agree, but we can each be a catalyst for civility – one conversation at a time.



shrm.org/civility

SHRM Q1 Civility Index  
In March 2024, SHRM surveyed 101 U.S. workers to understand how often they experience or witness uncivil behavior in their daily lives and in the workplace. The data is weighted to ensure the survey results represent the experiences of the broader U.S. working population.

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## Un-Civilized Workplace and Possible Effects

**Robert I. Sutton, PhD** identified some possible behavior traits and potential organizational costs because of an uncivilized workplace.

- *“Behavior that demeans or belittles others. This could include verbal abuse, bullying, or undermining colleagues.”*
- *“Financial and emotional costs that toxic individuals impose can reduce productivity, increase employee turnover, and create a hostile work environment.”*
- *“The toll toxic behavior takes on employees can lead to stress, anxiety, burnout, and decreased job satisfaction. This emotional damage not only affects individual well-being but also reduces overall team performance and engagement.”*

Dr. Sutton shares in our organizations we should strive to maintain a *“respectful, positive workplace culture by not hiring or tolerating people who engage in toxic behavior”* **and** *“that organizations must enforce this rule consistently to protect their culture.”*



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**Sacred Cows in the Workplace**

Excusing behavior doesn't protect culture.  
It defines it.

Heartland Creative STUDIO

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## Five Strategies for Addressing Toxic Behavior in the Workplace\*

*\*inclusiongeeks.com*

"Toxic behavior **corrodes** trust, **stifles** innovation, and **breaks down** the very foundation of a successful workplace. It shows up in unchecked behaviors, in cultures that value outcomes over people, and in power dynamics that silence or exclude."

Five strategies to possibly address toxic behavior in the workplace

1. Set the standard for behavior
2. Acknowledge power and privilege
3. Equip people to navigate conflict
4. Model accountability at every level
5. Build psychological safety



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## What are most employees looking for?

A positive working environment, where they feel that they matter and are treated fairly.



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# Bullying

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## Workplace Bullying Examples:

- Gossiping or spreading rumors about a coworker
- Yelling at, harshly criticizing, or belittling an employee
- Excluding or isolating an employee from team activities
- Intentionally overloading an employee with work
- Mocking or making fun of someone in front of others
- Unfairly denying promotions or opportunities

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# Bullying



- Generally, not prohibited by any federal or state law
- Inappropriate and
- Unacceptable

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## City of Taylor Employee Handbook Section 4: Bullying Policy and Procedure\*

### POLICY

The City of Taylor prohibits bullying by City employees. Bullying is defined as repeated, health-harming mistreatment of one or more people by one or more perpetrators. Examples of prohibited conduct that violates the City's policy against bullying include, but are not limited to:

- Threatening, humiliating or intimidating behaviors.
- Work interference/sabotage that prevents work from getting done.
- Verbal bullying includes slandering, ridiculing or maligning a person or his or her family.
- Persistent name-calling that is hurtful, insulting or humiliating.
- Using a person as the basis of jokes; abusive and offensive remarks.
- Physical bullying including pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
- Gesture bullying includes nonverbal gestures that can convey threatening messages.
- Exclusion, including socially or physically excluding or disregarding a person in work-related activities.

### PROCEDURE

An employee who feels they have experienced bullying should immediately report this to their supervisor or to Human Resources Department. All employees are strongly encouraged to report any bullying conduct they experience or witness as soon as possible. Failure of a supervisor to report allegations of bullying will lead to disciplinary action if it is determined that the supervisor had knowledge but did not report the information immediately to the appropriate management. Retaliation against an individual for reporting bullying or for participating in an investigation or a claim of bullying is a serious violation of this policy and, like bullying itself, is prohibited. Acts of retaliation should be reported immediately to the supervisor and/or Human Resources Director and will be promptly investigated and addressed.

\*<https://www.taylor.tx.gov/DocumentCenter/View/13257/City-of-Taylor-Personnel-Policies-Manual---effective-April-1-2025?bidId=>

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# Harassment and/or Discrimination

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## EEOC Harassment Definition\*

Harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, (ADEA), and the Americans with Disabilities Act of 1990, (ADA).

Harassment is unwanted or unwelcomed conduct behavior that is severe or pervasive and based on:

- Race
- Color
- Religion
- Sex
  - (including pregnancy, gender identity, & sexual orientation)
- Mental or Physical Disability
- Nationality
- Age
  - (40 & older)
- Genetic Information
  - (including family medical history)

\*<https://www.eeoc.gov/harassment>

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## Title VII of the Civil Rights Act of 1964 UNLAWFUL EMPLOYMENT PRACTICES\*

It shall be an unlawful employment practice for an employer

(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or

(2) to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.

\*<https://www.eoc.gov/statutes/title-vii-civil-rights-act-1964>

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## Harassment\*

- Harassment becomes unlawful where
  - Enduring the offensive conduct becomes a condition of continued employment, or
  - The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.
- Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of illegality. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to reasonable people.
  - Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance.
- Prevention is the best tool to eliminate harassment in the workplace. Employers are encouraged to take appropriate steps to prevent and correct unlawful harassment. They should clearly communicate to employees that unwelcome harassing conduct will not be tolerated.

\*<https://www.eoc.gov/harassment>

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# Protected Classes

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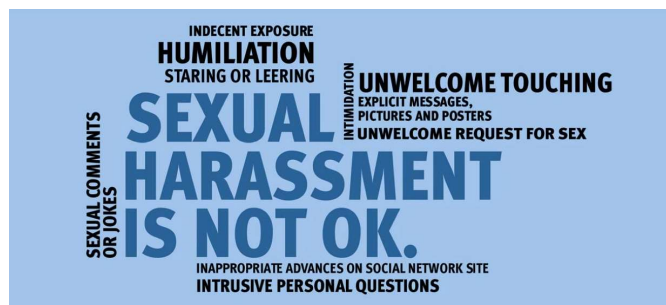
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## Sex/Gender Based Harassment

Discrimination based on someone's:

- Sex/gender,
- Sexual orientation
- Gender identity
- Pregnancy

*Partner with your HR/Legal team regarding questions*

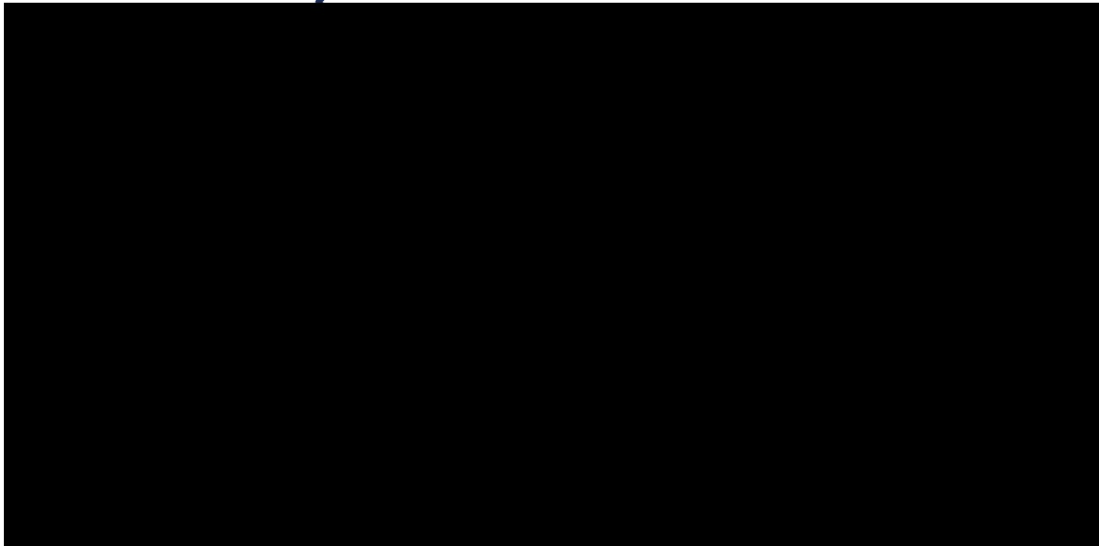


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## YouTube Example from Nicki Swift



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- The target of the harassment

AND

- And anyone affected by the offensive conduct (bystander)

**Who is  
impacted by  
the  
harassment**

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## Scenario

*You are at work and your supervisor or a peer whom you have worked with for several years (and built a great working relationship with) comes over to you and gives you a hug (which may be a typical/appropriate action for you). However, at the end of THIS hug, this person purposely touches you inappropriately and then winks at you.*

What do you do?

- What initial actions would you take?
- Who could or should you tell about the situation?
- If you are a bystander in this scenario, what actions might you take?

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## Faragher vs Boca Raton (1998)

- Beth Ann Faragher worked intermittently as an ocean lifeguard for the city of Boca Raton, FL from 1985-1990
- Sued the city and two lifeguards she accused of unwanted touching and making offensive comments and gestures
- Said it was a really good job except for the constant groping by one supervisor and sexual innuendoes and comments by others
- Case went to the Supreme Court where it said that if alleged harassers are supervisors, employers can be liable for damages, even if the employer is not aware of the harassment

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## SB 45 & HB 21 and what it means to you.

- Effective September 1, 2021
- Individual liability for those who act “directly in the interests of an employer” as well as supervisors and coworkers
- Requires employers to take **immediate** and appropriate corrective action where the employer **knows or should have know** of sexual harassment
- Charge filing period changed from 180 to 300 days



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## Continuing Violation Doctrine\*


- To pursue an employment discrimination claim under Title VII, including a harassment case, an employee must file a charge of discrimination with the EEOC within either 180 or 300 days of the unlawful employment practice, depending on which state the employee works in.
- The question in a hostile work environment scenario is, “what constitutes the unlawful employment practice?” that triggers the need to file an EEOC charge since the claim usually involves a series of events rather than a discrete act (such as a pay cut). In *Morgan*, the Supreme Court held that a “hostile work environment claim is comprised of a series of separate acts that collectively constitute one ‘unlawful employment practice.’” (citing Title VII, 42 U.S.C. § 2000e-5(e)(1)).
- In sum, the **continuing violation doctrine** holds that if an employee files an EEOC charge while at least one act constituting the hostile work environment is still timely, then the whole time period of the hostile work environment can be considered for purposes of deciding liability.

\**National Law Review* – [natlawreview.com](http://natlawreview.com)

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**Houston, TX**

VCE News

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TML  
RISK POOL

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## Pregnancy Discrimination

Illegal to discriminate against a woman because of:

- pregnancy
- childbirth
- A medical condition related to pregnancy or childbirth

OR

- Intent to become pregnant\*

*\*Pregnancy Workers Fairness Act (6-27-2023)*



**Partner with your HR/Legal team**

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TML  
RISK POOL

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## Race Discrimination

Involves discrimination based a person race such including cultural practices or physical characteristics associated with race (such as hair texture, skin color, or certain facial features).

- CROWN Act - HB567 (Eff. 9/1/23)
  - *Creating a Respectful and Open World for Natural Hair*



*Partner with your HR/Legal team regarding questions*

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## National Origin Discrimination

Unfavorable treatment of a person because they are from a particular country or part of the world, because of ethnicity or accent, or because they appear to be of a certain ethnic background (even if they are not).



*Partner with your HR/Legal team regarding questions*

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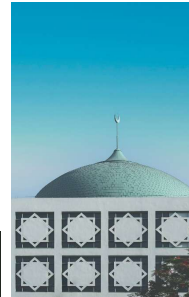
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## Religious Discrimination

- Involves treating an unfavorably because of his or her religious beliefs.
- The law protects people who belong to traditional, organized religions, as well as those who have **sincerely held religious**, ethical, or moral beliefs.\*

\**Groff v. DeJoy* (6-29-2023)

*Partner with your HR/Legal team regarding questions*



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## Mental or Physical Disability Discrimination

- According to the EEOC, disability discrimination occurs when an employer or other entity covered by Title I of the Americans with Disabilities Act (ADA) (which protects private and state and local employees) treats a qualified employee or applicant unfavorably because of disability. The disability laws forbid discrimination when it comes to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoff, training, fringe benefits, and any other term or condition of employment.
- It is illegal to harass an applicant or employee because of a current or past disability an actual or perceived physical or mental impairment that is not transitory and minor, or for association with an individual with a disability. Harassment can include offensive remarks about a person's disability. Harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted).

*Partner with your HR/Legal team regarding questions*

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## Age Discrimination in Employment Act (ADEA)

- Involves treating an applicant or employee less favorably because of his or her age.
- Forbids age discrimination against people who are age 40 or older.



*Partner with your HR/Legal team regarding questions*

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## Genetic Information Discrimination ACT (GINA)

- Genetic information includes information about
  - an individual's genetic tests and
  - the genetic tests of an individual's family members
  - information about the manifestation of a disease or disorder in an individual's family members (i.e. family medical history)



*Partner with your HR/Legal team regarding questions*

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## Some Things To Think About Regarding Unacceptable Conduct

- Even if the people engaging in the unacceptable conduct are “fine” with it, is not a defense for the unacceptable conduct/behavior (3<sup>rd</sup> party)
- Remember that professional meetings, business trips and social events are an extension of your workplace (alcohol)

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## Now What? (Ask, Seek and Act)\*

- Encourage all employees to say something to the person if they are uncomfortable with someone’s behavior
- Share generally with the team that this behavior is not acceptable
- If you specifically observe someone engaging in this type of behavior, pull them to the side and let them know you saw it and that you expect they will not do it again
- Train

***\*Partner with your HR/Legal if you have questions regarding approach/potential documentation***

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# Retaliation

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## Potential Roots of Retaliation\*

When employers treat differently applicants, employees, former employees, or people closely associated with someone who:

- Reported discrimination
- Participated in a discrimination investigation or lawsuit (for example, serving as a witness), or;
- Opposed discrimination (for example, threatening to file a charge or complaint of discrimination).

*For example, it is illegal to fire an employee because they filed a charge of discrimination with the EEOC. This is true even if the EEOC concludes that the charge of discrimination does not have merit.*

*Retaliation is not only illegal, it's also bad for business. It is in your best interest for employees to feel comfortable reporting discrimination to you so you can investigate and address any conduct that violates the law or your company's policies.*

\*<https://www.eeoc.gov/employers/small-business/8-what-retaliation-and-how-can-i-prevent-it>

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## Examples of Possible Retaliation\*

Depending on the facts, it could be retaliation if an employer acts because of the employee's EEO activity to:

- reprimand the employee or give a performance evaluation that is lower than it should be;
- transfer the employee to a less desirable position;
- engage in verbal or physical abuse;
- increase scrutiny;
- make the person's work more difficult (for example, punishing an employee for an EEO complaint by purposefully changing his work schedule to conflict with family responsibilities).

\*<https://www.eeoc.gov/retaliation>

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## Retaliation\*

- The EEO laws prohibit punishing job applicants or employees for asserting their rights to be free from employment discrimination including harassment. Asserting these EEO rights is called "protected activity," and it can take many forms.
- Participating in a complaint process is protected from retaliation under all circumstances. Other acts to oppose discrimination are protected as long as the employee was acting on a reasonable belief that something in the workplace may violate EEO laws, even if he or she did not use legal terminology to describe it.
- *Engaging in EEO activity, however, does not shield an employee from all discipline or discharge. Employers are free to discipline or terminate workers if motivated by **non-retaliatory and non-discriminatory** reasons that would otherwise result in such consequences. However, an employer is not allowed to do anything in response to EEO activity that would discourage someone from resisting or complaining about future discrimination.*

**Partner with your HR/Legal team regarding questions**

\*<https://www.eeoc.gov/retaliation>


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# SCOPE OF CONTROL

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## MASTER WHAT YOU CAN CONTROL

By Justin Wright



**Building for the Future**



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# Servant Leadership

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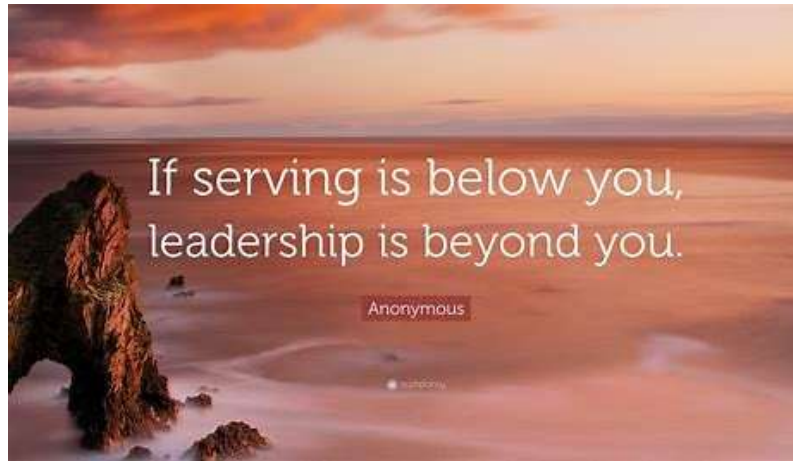
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## Supervisors GET To

- Protect the Organization
- Grow the employee

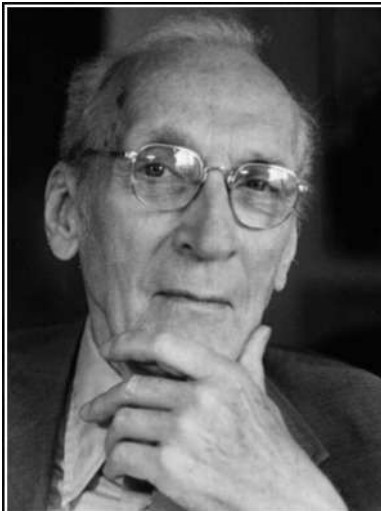


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## Servant Leadership



The servant-leader is servant first... It begins with the natural feeling that one wants to serve, to serve first. Then conscious choice brings one to aspire to lead. That person is sharply different from one who is leader first.

— Robert K. Greenleaf —

AZ QUOTES

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## Servant Leadership Is...

- Focusing on the growth and well-being of individuals and the community, rather than on personal power or recognition
- Serving others, fostering trust, and creating a collaborative and inclusive environment through Emotional Intelligence (*the ability to understand and manage your emotions, as well as recognize and influence the emotions of those around you*)
  - Ability to "Read the Room"
- Prioritizing the needs of the team
- Empowering others to reach their full potential and contribute to a shared vision

***Not Just Me BUT We***

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# Coaching and Feedback

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## Coaching

The ongoing process of both informal and formal feedback that is intended to support employees in skill development as well as to recognize success.



**No feedback is not good feedback.**

**In fact, no feedback is irresponsible  
and a missed opportunity**

**If you are a leader, you must give  
feedback. that's your job.**

**Feedback either helps people get  
better and grow, or reinforces the  
positive they are doing to inspire  
them to do more of it.**

**If you don't have time to give  
feedback, then don't be a people  
leader.**

**“Appreciation is a wonderful thing. It makes what is excellent in others belong to us as well.”**

**Voltaire**



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**People are the most important part of any organization because they envision and drive the ideas, take action by bringing the ideas to life, and adjust as needed based on the outcome for the whole rather than just self.**

#### **1. People Create and Execute Strategy**

No matter how brilliant an idea/strategy is, it's people who:

- *Develop it based on insight and experience*
- *Execute it through collaboration and effort*
- *Adapt it when conditions change*

#### **2. Innovation Comes from People**

Technology and systems are tools, but innovation comes from creativity. People:

- *Solve problems*
- *Improve processes*
- *Invent new and effective ways to serve*

#### **3. Culture Is People**

An organization's culture (its values, behaviors, and sense of purpose) is shaped by:

- *How people treat each other*
- *How people can see, understand, and work towards something bigger than self*

#### **4. Relational Engagement Drive Success**

Whether it's with customers, citizens, or colleagues, success depends on:

- *Trust*
- *Transparency*
- *Communication*
- *Empathy and understanding*

#### **5. People Can Adapt and Grow**

Organizations face constant change. People have the opportunity to:

- *Learn new skills as well as from mistakes*
- *Embrace new roles seeing the opportunities they provide*
- *Lead transformation by owning the change, "walking the talk", and bringing it to life*

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# Disciplinary Action and Its Purpose

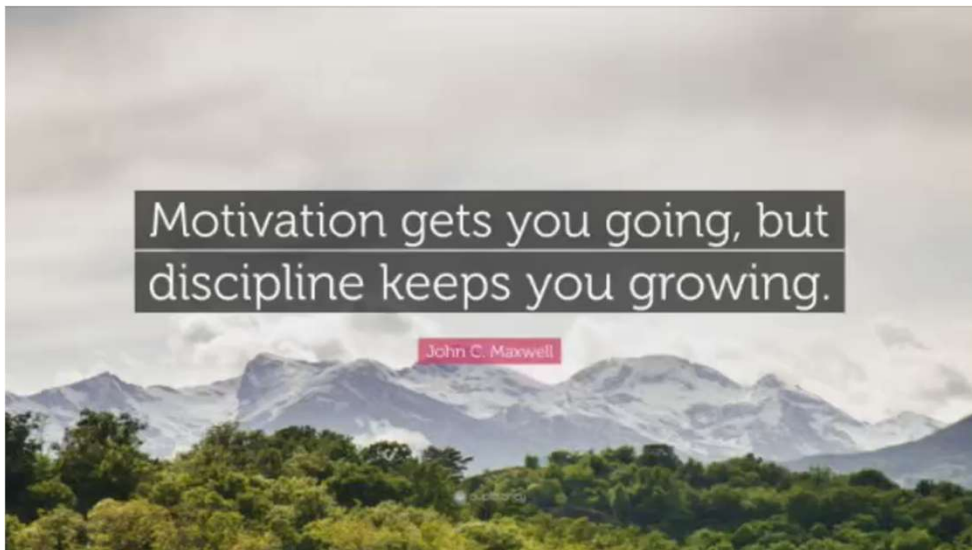
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Motivation gets you going, but  
discipline keeps you growing.

John C. Maxwell



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# Disciplinary/ Performance Example\*

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## Possible Disciplinary and/or Performance Action Needed?

### 1. Review City Policies

- Did behavior violate a written rule or code of conduct?
- If yes → Likely disciplinary.

### 2. Intent and Awareness

- Was the employee aware of expectations?
- Was the action intentional or due to difficulty meeting expectations?

### 3. Frequency and Pattern

- Repeated misconduct → disciplinary.
- Repeated underperformance despite support → performance issue.

### 4. Impact

- Harm to morale, safety, or workplace environment → disciplinary.
- Harm to efficiency, output, accuracy → performance-related.

### 5. Documentation & Due Process

- Are there records of past incidents, coaching, or training?
- Has the employee had an opportunity to respond?

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### **Inappropriate Workplace Behavior**

An employee has repeatedly made disrespectful remarks during staff meetings. They have received two prior verbal coaching and have signed the conduct policy twice (onboarding and annual training). A recent incident caused a coworker to walk out, witnessed by two peers. Team morale is declining, and employees avoid speaking up in meetings.

#### **Questions**

1. Does this behavior violate any written rule or policy?
2. Was the employee aware of expectations?
3. Is there a pattern of behavior?
4. What is the impact on team morale or safety?
5. What action is most appropriate and why?

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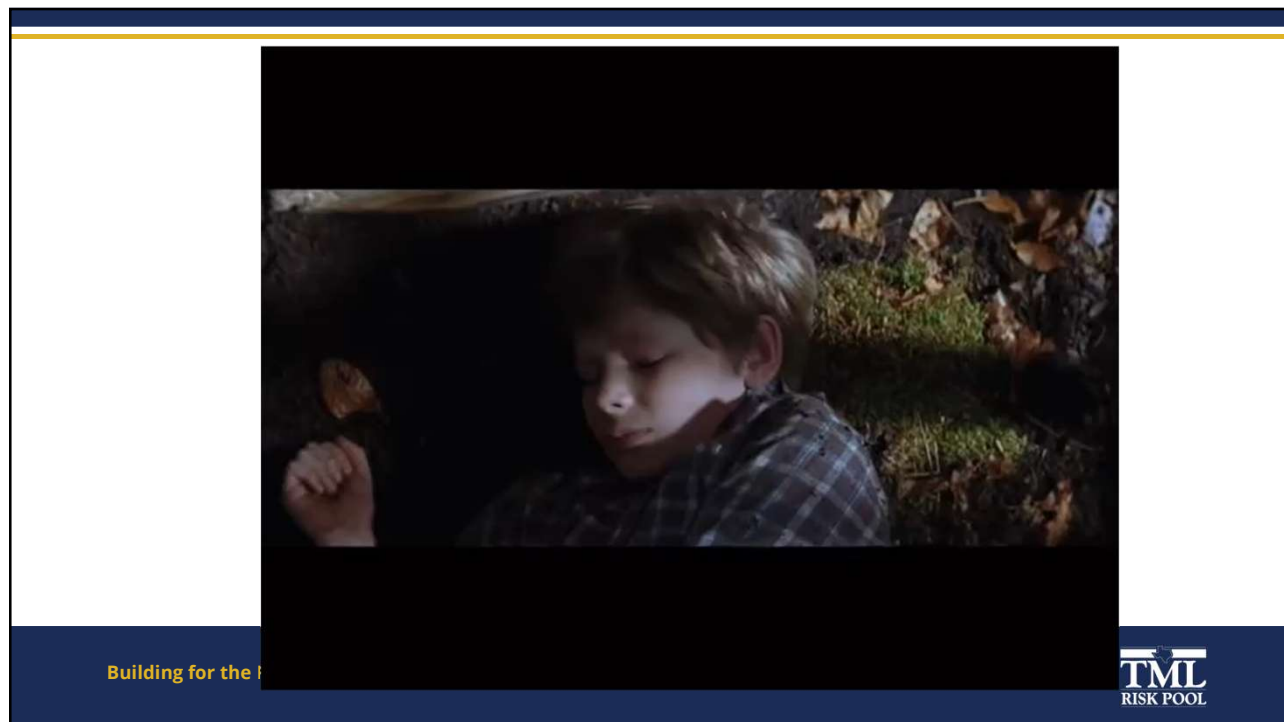
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# **Stumbling/Falling**

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## Value of “Falling”

- **“Learn to pick ourselves up”**
  - How?
  - Why is this valuable for growth?
- **Growth through Mistakes**
  - What message does it send someone else if I “fall”/fail and admit my mistake?
  - What message does it send if I ask for help?

***While we don’t set out to fall/fail, growth can happen IF we see this as an opportunity to get back up and not stay on the ground.***

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# Getting Back Up and Into the Game

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## ...Bounce Back... – RobertHalf.com

*"I made a mistake at work and I feel horrible."*

- Forgive yourself for mistakes at work
- Confess and take responsibility
- Do what you can to set things right
- Take stock of what you've learned
- Get back to work or move on



<https://www.roberthalf.com/us/en/insights/career-development/saving-face-after-making-mistakes-at-work>

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## Beauty/Excellence Through the Cracks



“**Kintsugi**, which translates to “golden joinery,” is more than just a craft—it’s a philosophy. It teaches us to **embrace imperfection**, to **see beauty in what’s broken**, and to **celebrate the stories that make us who we are.**” <https://japandaily.jp/kintsugi-the-art-of-embracing-brokenness/>

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# FMLA/ADAAA

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## FMLA (FAMILY MEDICAL LEAVE ACT)

### What is FMLA?

The FMLA applies to all:

- public agencies, including local, state, and federal employers, and local education agencies (schools); and
- private sector employers who employ 50 or more employees for at least 20 workweeks in the current or preceding calendar year.

In order to be eligible to take leave under the FMLA, an employee must:

- work for a covered employer;
- have worked 1250 hours during the 12 months prior to the start of leave; and
- is employed at a worksite where 50 or more employees are employed by the employer within 75 miles of that worksite (NOTE: This eligibility condition must be in the handbook).

NOTE: The 1250 hours include only those hours actually worked for the employer. Paid leave and unpaid leave, including FMLA leave, are not included.

### Common FMLA Questions

**Is FMLA paid?**

- No, it is not paid. It only offers job protection. Paid leave can be used concurrently with it.

**Can an employee decline FMLA protection?**

- No, employers are required to place employees on FMLA.

**Timing of request for FMLA**

- If FMLA is foreseeable then at least 30 days in advance or if not foreseeable then as soon as practicable. The employee does not need to reference FMLA. A request can be triggered when an employee has provided enough information to reasonably determine that FMLA may apply.

### Employer Responsibilities

Employers must return the individual to the same or equivalent job.

- Equivalent pay
- Equivalent benefits
- Equivalent terms and conditions

Employee has no greater right to reinstatement than had the employee continued to work.

Employers must also provide the notice of Eligibility (DOCS WAC821 form) within 5 business days of a request for FMLA leave. Employee has 15 days to complete the medical certification.

Employers also must provide the Designation Notice (DOCS WAC821 form) within 5 business days of receiving the complete & sufficient medical certification.

## ADAAA (AMERICANS WITH DISABILITIES ACT AS AMENDED)

### Definition of Disability

A person can show that he or she has a disability in one of three ways:

- Has a physical or mental condition that substantially limits one or more major life activities
- Has a history of a disability
- Being regarded as having a disability

### Interactive Process

As part of the interactive process, the EEOC recommends that employers:

- Analyze the particular job involved and determine its purpose and essential functions;
- Consult with the individual with a disability to ascertain the precise job-related limitations imposed by the individual's disability and how those limitations could be overcome with a reasonable accommodation;
- In consultation with the individual to be accommodated, identify potential accommodations and assess the effectiveness each would have in enabling the individual to perform the essential functions of the position; and
- Consider the preference of the individual requesting accommodation and select and implement the accommodation that is most appropriate for both the employee and the employer.

### Disability Discrimination Examples

- Treating a qualified individual with a disability who is an employee or applicant unfavorably because he/she has a disability.
- Also occurs when an applicant or employee is treated less favorably because she has a history of a disability (such as cancer) or because she is believed to have a physical or mental impairment that is not transitory (lasting or expected to last six months or less) and minor (even if she does not have such an impairment).
- The law also protects people from discrimination based on their relationship with a person with a disability (even if they do not themselves have a disability). For example, it is illegal to discriminate against an employee because her husband or child has a disability.

### ADA Resources

- The Americans with Disabilities Act Amendments Act of 2008  
<https://www.eeoc.gov/statutes/americans-disabilities-act-amendments-act-2008>
- Office of Disability Employment Policy – US Department of labor  
<https://www.dod.gov/agencies/odpe/>
- Job Accommodation Network (JAN) Interactive Process Example  
<https://askjan.org/training/library.html>

NOTE: Partner with your HR/Legal team regarding questions

### Possible Job Accommodation

- Communication about possible accommodations is key.
- Employers must participate in an interactive process with the employee to determine the essential functions of the job that may or may not be eligible for an accommodation.
- Work with your HR Department as they will generally be able to assist with this process.







You are each at the heart(beat) of your organizations and are daily impacting something bigger than self by breathing life into your mission, vision and values.

**YOU Matter...**

**YOU Make a Difference...**

**YOU Are Investing Your TIME in Service to Others...**



*"Act as if what you do makes  
a difference. It does."*

William James

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**For  
Tomorrow**

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## Homework

Please complete the Enneagram Test before class tomorrow.

- Use the link below and take the **first** Enneagram Test. Please print and/or save your test results and bring them with you tomorrow. A significant portion of the discussion in class tomorrow will be centered on the different personality styles/characteristics.

<https://www.eclecticenergies.com/enneagram/test>

Be sure to print or save your results and bring them with you.

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Eclectic Energies

[Menu](#)
[Chakras](#)
[Acupressure](#)
[Exercises](#)
[Enneagram](#)
[I Ching](#)
[Feelings](#)

### Eclectic Energies Enneagram Tests (free)

These two [Enneagram](#) tests help you determine which personality type you are. Your [wing](#) will also be indicated. Some suggestions on getting the most accurate results are [below](#).

**Classical enneagram test**

This test has pages with 9 questions or less (1 for each [Enneagram type](#)). You'll get less questions per page after having answered enough questions to establish which types you are not.

←

**Enneagram test with instinctual variant**

With this test you get pairs of character traits to rate. It is quicker than the other test, and indicates your [instinctual subtype](#) as well.

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**Eclectic Energies**


Menu Chakras Acupressure Exercises Enneagram I Ching Feelings

### Enneagram Test

Honestly grade each statement: "Yes" for "Yes, this is really me!", "Partly" for "This is partly how I am" and "No" for "This is probably not how I am". (If you don't know whether it applies, it's usually best to check "No".)

|                                                                                                  |                                                                                                 |
|--------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| <input checked="" type="radio"/> No<br><input type="radio"/> Partly<br><input type="radio"/> Yes | I love to take care of people and I'm good at it.                                               |
| <input checked="" type="radio"/> No<br><input type="radio"/> Partly<br><input type="radio"/> Yes | I want to win the approval of those in authority, sometimes even when I don't really like them. |
| <input checked="" type="radio"/> No<br><input type="radio"/> Partly<br><input type="radio"/> Yes | I don't get depressed easily, if at all.                                                        |
| <input checked="" type="radio"/> No<br><input type="radio"/> Partly<br><input type="radio"/> Yes | I plan the next adventure before the current one is finished.                                   |
| <input checked="" type="radio"/> No<br><input type="radio"/> Partly<br><input type="radio"/> Yes | I am too strict with myself and others.                                                         |
| <input checked="" type="radio"/> No<br><input type="radio"/> Partly<br><input type="radio"/> Yes | I often refrain from acting, as I'm afraid of being overwhelmed.                                |
| <input checked="" type="radio"/> No<br><input type="radio"/> Partly<br><input type="radio"/> Yes | I tend to trust most people.                                                                    |

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# Tony Koriath 3.0 Human Resources Training

## Day One Afternoon: Craig Barnes

*Note: We are not attorneys and cannot provide legal advice. We strongly encourage you to have discussion related to this topic with your attorney and review your policies, federal, state and local laws, including your charter, ordinances and resolutions.*



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Human Resources  
Training



FMLA/ADAAA

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**OUR WHY?** To partner with local governments so that Texas communities are **STRONGER TOGETHER**

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