

# Supervising in State Government

Day 4

Diversity & Cultural  
Competence

Training Resources

HR Special Topics



# SOV LINC

- <http://humanresources.vermont.gov/training/sov-linc>
- **Handouts Available:**
  - [End User Handout](#)
  - [Manager Handout](#)

<https://vermont.csod.com>

- **User name:**  
[FirstName.LastName@Vermont.gov](#)
- **Password:** default one will be provided then you reset it.

VERMONT  
Learning Management System

Welcome  
Please sign in:  
The only system of  
its kind in the state.  
For password reset assistance:  
Contact VTIHR at: (877) 626-4700, Option 4  
or email: [vtihr@vermont.gov](mailto:vtihr@vermont.gov)

User Name or Email Address:  
Password:  
Enter

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DEPARTMENT OF HUMAN RESOURCES  
Center for Achievement in Public Service

# Online Classes

- **FirstNet**
  - <http://firstnetcampus.com/SOV/entities/Vermont/logon.asp>
- **Universal Class**
  - For more information about Universal Class and directions on how to navigate the system and upload certificates, click [here](#) for the "How To" document.
- **SANS IT**
  - Security Training in SOV LINC
- **PMA** (CLMI/ResourceNOW)
  - <https://secure.rncod.com/cgi-bin/performtrax?tpid:loginResourceNow+clientId:VERMONTAGENCY>
- SOV LINC

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# Goals and Objectives



- Set up the environment to take advantage of differences
- Explore stereotypes and biases
- Review legal obligations
- Use diversity to innovate, overcome challenges and complete a project



## FOUR LAYERS OF DIVERSITY



\*Internal Dimensions and External Dimensions are adapted from: Marilyn Loden and Judy Rosener, 'Workforce America' (Business One Irwin, 1991); From Diverse Teams at Work, Gardenswartz & Rowe (2nd Edition, SHRM, 2003)



# Stereotypes & Culturally Relevant Information

## What is a stereotype?

An **over generalization** of information that is taken from observing a few in a group or culture and believing the observation to be true about most people in the group or culture.



## What is culturally relevant info?

Information acquired by **researching a culture** to learn about the norms of its people **through inquiry, participation, study and observation.**



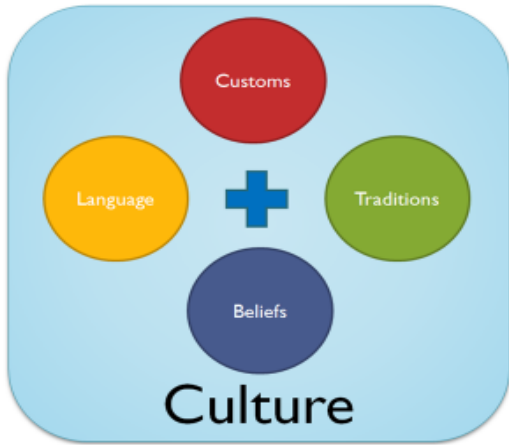
## Vermont State Law Prohibits Discrimination Based on:

- Race
- Color
- National origin
- Religion
- Sex
- Disability: physical, mental, or emotional
- Age (18 and older)
- Genetic information
- Sexual orientation
- AIDS/HIV
- Place of birth
- Gender identity
- Credit report or credit history





# What is Culture?



Culture may be defined as a shared system of **values**, **beliefs** and **attitudes**. It affects our own actions and the way we perceive the actions of others.

## How does culture show up?

- Generations
- Personal Background
- Ethnicity
- Language



## The Iceberg Concept of Culture

Like an iceberg, the majority of culture is below the surface.

### Surface Culture

Above sea level  
Emotional load: relatively low

food • dress • music •  
visual arts • drama • crafts  
dance • literature • language  
celebrations • games

### Deep Culture

Unspoken Rules  
Partially below sea level  
Emotional load: very high

Unconscious Rules  
Completely below sea level  
Emotional load: intense

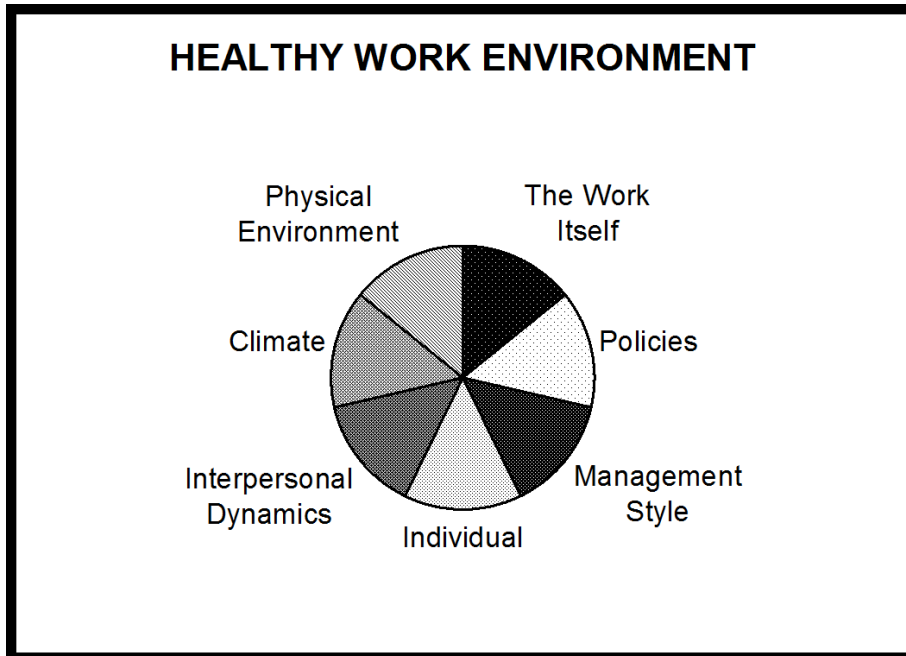
courtesy • contextual conversational patterns • concept of time  
personal space • rules of conduct • facial expressions  
nonverbal communication • body language • touching • eye contact  
patterns of handling emotions • notions of modesty • concept of beauty  
courtship practices • relationships to animals • notions of leadership  
tempo of work • concepts of food • ideals of childrearing  
theory of disease • social interaction rate • nature of friendships  
tone of voice • attitudes toward elders • concept of cleanliness  
notions of adolescence • patterns of group decision-making  
definition of insanity • preference for competition or cooperation  
tolerance of physical pain • concept of "self" • concept of past and future  
definition of obscenity • attitudes toward dependents • problem-solving  
roles in relation to age, sex, class, occupation, kinship, and so forth

Indiana Department of Education • Office of English Language Learning & Migrant Education • [www.doe.in.gov/englishlanguagelearning](http://www.doe.in.gov/englishlanguagelearning)



## Human Resources Special Topics

### Family Medical Leave Act (FMLA)



#### **Family Medical Leave Act (FMLA)**

Allows eligible employees to take leave for qualifying events while maintaining certain job protections and benefits.

- Paid or unpaid
- Amount of leave granted may vary depending on the qualifying event

#### **Vermont's Parental and Family Leave Act (PFLA)**

- Allows eligible employees to utilize paid leave at their discretion for up to 6 weeks
- Expands the definition of immediate family

#### **VT Policy on FMLA**

- The State's Family and Parental Leave policy can be found at:
  - [vermont.gov](http://vermont.gov) › Human Resources › Labor Relations, Policies and EEO › Number 14.2
- Labor Contracts provide additional benefits for Classified employees

### **Who is Eligible?**

All employees, regardless of status, are eligible once they have been working for SOV for 12 months, for an average of 30 hrs/week or at least 1,250 hours in the 12 months preceding commencement of leave.

Classified employees may be eligible sooner:

- When original probation is completed  
or
- Have been working for SOV for 12 months or more  
and
- Work an average of 20 hours per week

### **Types of FMLA Leave**

- Continuous or “block” leave
- Reduced schedule
- Intermittent

Considerations for:

- FMLA Military
- Parental

### **Supervisor Responsibilities**

- Understand DHR policy and department procedures, types of leave, how to use
- Point employees to forms and assistance
- Know steps for an employee returning to work from FMLA
- Inform HR Representative before leave and return.
- Employee may work directly with HR Representative.
- You can find the SOV policy at: Labor Relations, Policies and EEO > Equal Employment Opportunity > Family Medical Leave

## Workers' Compensation

### ***Workers' Compensation***

Vermont State Government employees who are injured on the job are covered under the State's workers' compensation self-insurance program. Workers' compensation claims are administered by PMA Management Company of New England Inc. (PMA). The contract with PMA is managed by the Agency of Administration's Office of Risk Management (ORM). Any injury of an employee on the job must result in an injury report. Instructions on filing a workers' compensation claim can be found here: <http://aoa.vermont.gov/secretary/divisions/workers-comp>

### **Supervisor Responsibilities**

- Provide proper safety equipment and training
- Pay attention to and communicate with your employees
- Make site safety a top priority
- Report, report, report
- In the event of an injury on the job, stay in regular contact with employee

### **Workplace Safety**

Workplace injuries and illnesses produce human suffering, economic and social losses and impair the operating efficiency of state government. ORM has entered into an agreement with PMA to assist state agencies and departments in promoting safe work environments through training, program reviews and on-site consultations. PMA works with ORM to improve safety in our workplace by conducting injury prevention analysis of reported incidents. The goal is to examine the incident and conclude what can be done to prevent a similar incident from reoccurring in the future. PMA also monitors and evaluates statewide injury trends and exposures to determine if they are being properly addressed and makes recommendations to mitigate workplace injuries.

### **Safety Training**

PMA offers a full range of online safety training programs through their partner ResourceNOW. PMA classroom-based courses can also be assigned and tracked on this website. The online training system is accessed via a different website than the SOV's LINC, which contains all workplace training and is the system of record for employee training. Risk Management will send training records and certificates from the ResourceNOW site to SOV LINC on a monthly basis, so records of all employee training will be kept at one place on SOV LINC.

**Cost:** Free! The Office of Risk Management pays for the cost of training.

The link to the website for on-line workplace safety training through PMA and ResourceNOW can be found here: <http://aoa.vermont.gov/secretary/divisions/workers-comp>

### **Additional Resources**

- <http://labor.vermont.gov/workers-compensation/>
- <http://aoa.vermont.gov/secretary/divisions/workers-comp>



**Notes:**

## Domestic Violence

### ***Domestic Violence***

A pattern of assault and coercive behaviors perpetrated by someone who is, or was involved in an intimate or dating relationship with the victim.

### ***What is Domestic Violence?***

Domestic Violence in the workplace may include:

- actual or threatened physical injury
- sexual assault
- psychological abuse
- economic or other coercion
- other tactics

### ***What's In It For Me?***

- Affects the workplace of victim and offender
  - Causes loss of work time, productivity
  - Creates safety hazards for employees
  - Negatively impacts workplace morale and culture
- It is SOV policy

### ***Vermont Policy***

DHR policy 17.7

- Highlights of policy purpose
  - Achievement of a workplace free of any form of discrimination, intimidation or harassment
  - State will not discriminate against any victim/ survivor of DV/SV
- [vermont.gov](#) › Human Resources › Labor Relations, Policies and EEO › Personnel Policy & Procedure Manual › number 17.7

**Notes:**

### **Data: Offender Survey**

- 73% had no history of trouble with employer (drugs, alcohol, violence at work)
- 29% contacted partner while at work to intimidate or scare
- 40% of supervisors were aware this occurred at work
- 25% were late to work or left early to be abusive
- Partners of abusers lost an average of 20 work days
- 80% of abusers state their job performance was affected by abuse
- Level of violence intensifies over time

A PDF of this report is available at [http://www.uvm.edu/crs/reports/2012/VTDV\\_WorkplaceStudy2012.pdf](http://www.uvm.edu/crs/reports/2012/VTDV_WorkplaceStudy2012.pdf)

### **Supervisor Responsibilities**

- Treat all reports of domestic or sexual violence (DV/SV) seriously
- Be proactive and observant
- Monitor staff for signs of DV/SV (perpetrator or victim)
- Know what to do if someone reports for themselves or others (victim or perpetrator)
- Understand SOV policy on DV/SV and how to apply it

Video: Domestic Violence in the Workplace

Link: <https://www.youtube.com/watch?v=KeJDtvs1NtQ>

### ***Possible Signs to Watch For: \****

- Fear of spouse/partner, or always tries to please them
- When someone ...
  - often talks about their partner's jealousy or protectiveness
  - becomes anxious, depressed, or loses confidence
  - is unusually quiet
  - is reluctant to leave their children/pets with their partner

\* domestic Violence Center of Victoria, British Columbia, CA

**Notes:**

### **Resources for Supervisors to Use or Provide to Staff**

- DHR Representative
- Vermont Network against Domestic and Sexual Violence <http://www.vtnetwork.org>
- VT DV hotline 1-800-228-7395
- VT SV hotline 1-800-498-7273
- InvestEAP (Employee Assistance Program) 888-834-2830 or [www.investeap.org](http://www.investeap.org) (password: vteap)

### **Resources**

- Family Violence Prevention Fund video: "Domestic Violence: The Workplace Responds" (15 min) <http://www.youtube.com/watch?v=9-17JXM4c84>
- AHS website: <http://humanservices.vermont.gov/domestic-violence>
- State of Vermont Online Domestic Violence Training: <http://humanservices.vermont.gov/domestic-violence>
- AHS Policy on Response to Domestic Violence <http://humanservices.vermont.gov/policy-legislation/policies/01-general-operations-policies/1-03-ahs-response-to-domestic-violence/view>
- VT Network Against Domestic and Sexual Violence <http://www.vt.network.org>
- "Interrupting the Cycle of Violence: Addressing Domestic Violence Through the Workplace" Ramsey County Initiative for Violence-Free Families and Communities. (1995). <http://www.mincava.umn.edu/documents/interrupt/interrupt.html#idp107376>
- Virtual Employee: Review of Resources Available through Workplaces Respond <http://www.workplacesrespond.org/implement/education-and-training/interact>
- Workplaces Respond to Domestic and Sexual Violence: <http://www.workplacesrespond.org/>

## **Preventing Sexual Harassment**

### ***The Data***

#### Association of Women for Action and Research:

- 54% of 500 respondents experienced some form of workplace sexual harassment.
- 27% of 272 respondents experienced harassment by a colleague. 17% were harassed by a superior.
- 79% of victims were women; 21% were men.
- 12% received threats of termination if they did not comply with the requests of the perpetrators.

### ***Sexual Harassment is...***

- A behavior
- A form of sexual discrimination



- Unwelcomed and usually repeated behavior of a sexual nature
  - Quid Pro Quo
  - Hostile Environment

***Types of Harassment: Verbal***

- Off color jokes or stories
- Sexual comments/innuendo or profanity
- Overt reactions to physical appearance (whistling, “cat calls”)
- Applying terms of endearment to co-workers (honey, babe, dear, etc.)
- Asking personal questions about a co-worker’s social or sexual life
- Repeatedly asking a person out who is not interested

**Types of Harassment: Non-Verbal**

- Giving or displaying sexually suggestive objects
- Sexually suggestive gestures or poses
- Leering
- Licking lips
- Blowing kisses
- Intimidating behavior:
  - blocking path
  - following someone

**Types of Harassment: Physical**

- Touching someone who does not want to be touched
  - hugs
  - kisses
  - unsolicited back or neck rubs
- Touching oneself in a sexually suggestive way around another person

**Key Points and Legal Concerns**

- Supervisor unique role
- Impact vs. intent
- Third party harassment

**What Can I Do?**

...if I experience unwanted sexual activity or aggression?	...to help prevent sexual harassment in my workplace?
<ul style="list-style-type: none"><li>• Make feelings known</li><li>• Keep a record</li><li>• Make a complaint</li></ul>	<ul style="list-style-type: none"><li>• Know and follow state policy</li><li>• Examine your own behaviors, actions and assumptions</li><li>• Don't go along with it, and intervene when observed</li><li>• Work with your HR Representative</li><li>• Remember, "No Means No"</li></ul>

**Supervisor DO's**

- Work with your HR Representative

- Keep charging party updated
- Take timely and appropriate action

### **Supervisor DO NOT's**

- Do not wait for a complaint
- Do not suggest a complaint be kept between you and the complainant
- Do not give the person complaining the impression he or she must put up with the behavior
- Do not suggest the parties work things out themselves

### ***Resources***

*vermont.gov › Human Resources › Labor Relations and Policies › Number 3.1*

*Preventing Sexual Harassment Training at CAPS*

## The Americans With Disabilities Act (ADA)

### *What is a Disability?*

- The term "disability" refers to a physical or mental impairment
- Affects 56.7 million people in the United States
- Not all disabilities can be seen with the naked eye

### *The Law*

- The Americans with Disabilities Act (ADA) prohibits discrimination
- SOV ADA policy: <http://humanresources.vermont.gov/labor-relations/equal-opportunity/individuals-with-disabilities>

### Reasonable Accommodations Policy

- The SOV Reasonable Accommodation Policy can be found at: Labor Relations, Policies and EEO > Equal Employment Opportunity Plan > Individuals with Disabilities
- Employers must make reasonable accommodations to allow qualified applicants and employees with disabilities to perform essential job functions.

### Supervisor Responsibilities

- To understand what ADA is, and how it effects your employees
- To act in good faith in an attempt to reasonably accommodate an individual with a disability
- To know if you have an employee or applicant that has a reasonable accommodation, what the accommodation is, and how to implement it
- To maintain confidentiality

## Employee Assistance Program (EAP)

### *Employee Assistance Program (EAP)*

The Employee Assistance Program (EAP) offers state employees the opportunity to speak privately and confidentially about issues and stresses that can make it difficult to balance home life and work life.

### *Where to Find EAP*

Telephone:

- Quick Access for managers: 1-844-ASAP-EAP (272-7327)
- Clinical Account Manager: 1-888-392-0050 (toll free) or 802-951-5156
- State of Vermont Employee counseling number: 1-888-834-2830

Web: [www.investeap.org](http://www.investeap.org) password: vteap

Email: [staff@investeap.org](mailto:staff@investeap.org) (general)/ [myrah@investeap.org](mailto:myrah@investeap.org) (clinical account manager)

Fax: 1-815-301-6540 (confidential)

### *Types of Referrals*

- Staff Member Self-Referral
- Supervisor referrals for employees:
  - Informal Referral
  - Supervisory Referral
  - Safety Sensitive
- Supervisor self-referrals:
  - Communication strategies for providing feedback
  - Addressing time and safety-sensitive issues

### *Using EAP*

- Permanent employees and their families
- No cost
- Up to five sessions (then may switch to insurance-based service)
- 24/7
- Screening and information tools on website

### Supervisor Responsibilities

- Don't diagnose. Notice.
- Suggest a check-in with EAP or the HR Representative early.
- Be flexible.

Every situation is different, and some are more personal/sensitive than others.

### *Additional Resources*

- [www.investeap.org](http://www.investeap.org) (password: vteap)
- <https://www.investeap.org/solution-focused-counseling>