

# DUTY OF CARE FOR A RESPECTFUL WORKPLACE

Presented by

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## FEDERAL DISCRIMINATION LAWS

Age

Sex

Race

Religion

National Origin/Ancestry

Disability

Military Status

Other State and Federal Laws

## SAFE PLACE ACTS

## 42 U.S. CODE SECTION 1983

## CIVIL SUITS

Assault

Privacy

Defamation

Negligent Supervision

# Harassment

Unwelcome attention based on group status:

1. Basis of Decision
2. Hostile Intimidating Offensive Environment

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# The Four Types of Violence

1. Homicide
2. Assaults
3. Threats
4. Intimidation (harassment, yelling, following, bullying, overt incivility)

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# Employer's Right to Set Standards

Commonly Offensive

Super Offensive

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- Duty to Act (and follow up)

# Where is “the line?”

## DANGER AREAS:

Committed criminal acts

Is an alcoholic

Is drug dependent

Has and/or is spreading a serious contagious disease

Committed professional malpractice

Committed infidelity in one’s marriage or serious relationship

Received a promotion or other job benefit by sex, bribery or other illicit ways

Comments that reveal medical information without consent

Divulging negative employment information (discipline, performance evaluations, reasons for discharge) to those who do not have a need to know

Comments or speculation over sexuality – or lack thereof – or sexual orientation

# Clean Hands

# Third-Party Harassment

# Degree of Control of the Environment

# Public Right vs. Protection of Employees

# How to Raise Issues of Concern

Listen (and Bite Tongue)

Do Something

# Informal Resolution

Investigate

Due Process

Equality

Discipline is Not Enough

# No Retaliation

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