

# Fundamental Supervisory Practices

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Peg Carlson is director of the School of Government's [Center for Public Leadership and Governance](#), an initiative designed to integrate, coordinate, and expand the School's leadership, governance, and management programs and scholarship. Carlson rejoined the School of Government in September 2015, after serving on the faculty from 1992–2000. Prior to her return to the School, she was an executive consultant with Roger Schwarz & Associates and worked with a wide variety of public, private, and nonprofit organizations as a facilitator, trainer, coach, and consultant to help them build effective leadership teams. She has published articles on developing effective groups, assessing the chief executive's performance, and multi-rater feedback and is co-author of *The Skilled Facilitator Fieldbook: Tips, Tools, and Tested Methods for Consultants, Facilitators, Managers, Trainers, and Coaches* (Jossey-Bass, 2005). Carlson received a BA in psychology from the University of Minnesota and an AM and PhD in organizational psychology from the University of Michigan.

### **Fields of Expertise**

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Mike is a versatile, collaborative, results-driven Facilitator, Trainer, HR Consultant, Coach, and Speaker who integrates business strategy into his delivery, coaching, and facilitation. He has provided HR, Training, Facilitation, Coaching, and Leadership Development solutions for clients on 5 continents for a wide variety of industries over his 30+-year career. Those experiences have been with federal, state, local government, and schools, as well as public, private, and non-profit businesses, from start-up to over 100,000 employees.

Mike has a passion for developing and empowering leaders at all levels to leverage their strengths and to help them create diverse work cultures that foster inclusion and belonging. He has a BA in Business Management with a Concentration in Human Resources from North Carolina State University. He and his wife, Denise live in Raleigh and have 3 children who graduated from college during COVID and are all adulting.

Mike is certified or trained on: Tilt 365, MBTI, DiSC, LVI 360 (Leadership Versatility Index), Situational Leadership, Five Behaviors of a Cohesive Team, Career Coaching, CliftonStrengths, Emotional Intelligence training, Sr Career Coach.

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Asila Calhoun is a certified coach and facilitator whose coaching and consulting **business** focuses on partnering with leaders through coaching, leadership development and diversity, equity and inclusion training. She has clients from a wide variety of professional backgrounds and industries, including biotechnology/clinical research, healthcare, as well as non-profit organizations and business owners.

During Asila's 25+ year career as a strategic HR business partner, she successfully worked with senior leaders to enhance the skills, tools, and learning opportunities they need to successfully manage and support effective employee performance.

Asila earned her Bachelor's degree in Sociology from UC Berkeley, and she holds PHR and SHRM-CP Human Resources certifications. She is a member of the International Coach Federation (ICF), an Associate Certified Coach (ACC) and a Certified Inclusion Coach (CIC). She is certified in DISC, TILT True Personality Profile Assessment, 360 feedback, and the Emotional & Social Competency Inventory Assessment (ESCI) – an emotional intelligence based 360 feedback assessment, and the Multidimensional Inventory for Personal Intelligence (MIPI). Asila is also a Certified Masters of Wisdom & Meditation teacher.

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Eleanor Green is a retired local government Human Resources Director with a passion for training and organizational development. Eleanor received a BA in psychology and political science from UNC-Chapel Hill and a MPA and Ed.D. from NC State University. Her experience includes working with in-tact workgroups to improve working relationships and training supervisors on a variety of topics to include emotional intelligence, coaching and feedback, conflict resolution, effectively navigating HR issues and making the right hire. Eleanor has extensive training in group facilitation and experience facilitating leadership and staff retreats and is certified to administer the EQi 2.0, EQi 360, the Myer-Briggs Type Indicator, and TILT 365 profile.

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Rebecca is an accomplished consultant, facilitator, and educator who excels in building consensus in diverse and complicated situations. After retiring from a rewarding career in executive public administration, Rebecca leads *True North Performance Group, LLC* consulting firm. She also serves as an adjunct faculty member for the *University of North Carolina's Center for Public Leadership and Governance*. Rebecca's professional focus is on developing high performing frameworks through leadership excellence, strategic planning, performance results, organizational development and collaborative engagement. Her experience spans a diverse group of governments, nonprofits, and businesses, helping them find their *true north*. Her work has been recognized by the International City/County Management Association for Performance Excellence. Rebecca is committed to diversity and inclusion, championing social capital, equity and empowerment initiatives, and is a HER Week Co-Founder. Rebecca holds a Bachelor of Science in Accounting from the University of North Carolina at Pembroke and a Municipal Administration Certification from the University of North Carolina, Chapel Hill. She is a Certified Budget and Evaluation Officer, trained in Six Sigma, and certified in COBIT framework. Rebecca is certified to administer the True TILT 365 Personality Profile, Positive Influence Predictor and Team Agility Predictor.

## **CAROLYN MILLER**

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Carolyn Miller is the Human Resources and Risk Management Director for Chatham County and is the principal instructor in their comprehensive in-house training curriculum on leadership, management, and supervision. She is a graduate of the University of Wisconsin with degree in history, from Pennsylvania State University with a master's in human resources and employment relations, and East Carolina University with a post-graduate certificate in community college instruction. She also works with the North Carolina State University and the University of Kentucky, instructing courses in supervision, leadership and diversity, equity, and inclusion for their continuing education programs for local government employees.

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Rick is an independent consultant whose work focuses on change, leader development, executive coaching, strategy, culture and teams.

Rick has led strategic change efforts around culture change, leadership development, and software programs. He has delivered and is known for his custom-designed programs, which are designed to be engaging and results-driven. He is certified in many assessments including, EQi, Birkman, Team Advantage and Polarity Thinking. Rick's academic background includes undergraduate degrees in Management and Marketing from Bluefield State College, dual master's degrees in Religious Education

(Adult Education) from Fordham University and Organization Development (AU/NTL) from The American University. He graduated in August of 2016 from North Carolina State University with his Business Coaching Certificate and he has his PCC level credential through the International Coaching Federation

**DALE SMITH**

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Dale received her Bachelor of Science Degree in Recreation Resources Administration from North Carolina State University. She spent most of her career with the Raleigh Parks and Recreation Department in Raleigh, NC working in various management capacities. In 2007, she became the Parks and Recreation Director for the City of Rocky Mount in Rocky Mount, NC. She retired from that position in 2012. Since her retirement, she has attained her Master's Certificate in Teaching, Training and Education Technology, a Business Coaching Certificate, Associate Certified Coach status with the International Coaching Federation and several assessment certifications. She is now the CEO of Smith Management Training and Consulting Services and is interested in working with individuals and teams that seek to improve their communication skills, develop positive team dynamics and consistently meet mutual goals.

**KIMALEE DICKERSON**

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Kimalee Dickerson is an assistant professor of public leadership at the School of Government. She is an expert on diversity, equity, and inclusion (DEI) in the public sector.

Dickerson joined the School of Government in September 2021. Previously, Dickerson worked as a post-doctoral researcher where she partnered with school leaders and youth to create more equitable educational systems. Before that, she served as a law clerk and an attorney for several government organizations. She holds a Ph.D. from the University of Virginia School of Education and Human Development. She also earned a J.D. from the UNC-Chapel Hill and a bachelor's degree from the University of Virginia.



# Fundamental Supervisory Practices-Week I

February 5-9, 2024

9:00AM - 12:00PM

ONLINE

## Monday, February 5

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**8:30AM** Check-in/Log-in

### 9:00AM Setting the Context

**Mike Brown (and Asila Calhoun)**

- Welcome, Introductions and Expectations
- Overview of Program/Program Expectations/Learning Partner
- Learning Agility and its importance for this program
- Learning Model overview
- Stakeholder Identification Activity
- Public Service-a calling and the role of government
- Supervision in the public sector

**12:00PM** Instructions for Tomorrow and Adjourn

### Post-Class Assignment:

- Complete the Skills needed for Supervision Worksheet

## Tuesday, February 6

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**8:30AM** Mix-n-Mingle Rooms

### 9:00AM Skills Needed to Be An Effective Supervisor

**Mike Brown (and Asila Calhoun)**

- Skills needed for supervision
- Behaviors of the Best and Worst Supervisors
- Moving from Buddy to Boss
- Establishing Trust and Credibility with your Direct Reports
- Working with your Learning Partner

**12:00PM** Instructions for Tomorrow and Adjourn

### Post-Class Assignment:

- Meet with learning partner to discuss Day 1-2 Reflection Questions
- Read through your True TILT profile and bring to class tomorrow

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## Wednesday, February 7

**8:30AM Mix-n-Mingle Rooms**

**9:00AM Your True TILT and How to Use it**

**Rebecca Jackson (and Asila Calhoun)**

- Getting Comfortable with Learning New Things about yourself
- The TILT model and you
- Why TILT?
- Exploring True Tilt patterns

**12:00PM Instructions for Tomorrow and Adjourn**

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## Thursday, February 8

**8:30AM Mix-n-Mingle Rooms**

**9:00AM Your True TILT and How To Use it, Cont'd**

**Rebecca Jackson (and Asila Calhoun)**

- Why do I sometimes react that way?
- Choosing Conscious, balanced responses
- How to TILT to context
- Personal Development Planning

**12:00PM Instructions for Tomorrow and Adjourn**

**Post-Class Assignment:**

Complete the Navigating Legal Issues True/False Questionnaire prior to Day 5 class

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## Friday, February 9

**8:30AM Mix-n-Mingle Rooms**

**9:00AM Navigating Legal Issues**

**Mike Brown (and Asila Calhoun)**

- Identify the legal issues and key employment laws you have to navigate as a supervisor.
- Review EEOC protected classes and review best practices to prevent discrimination claims.
- Discuss strategies for creating a productive and safe working environment free from harassment.
- Evaluate common employment situations and determine possible response strategies and resources needed for an appropriate response.

**12:00PM Instructions for Week II and Adjourn**

**Post-Class Assignment:**

- Complete your Guiding Principles Worksheet
- Complete your FSP Week One Personal Development Plan
- Meet with your learning partner prior to Week 2 to discuss Days 3-5 Reflection Questions and share your FSP Guiding Principles to get feedback



# Fundamental Supervisory Practices-Week II

February 19-22, 2024

9:00AM-12:00PM

ONLINE

## Monday, February 19

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**8:30AM** Mix-n-Mingle Rooms

**9:00AM** Diversity, Inclusion, and Belonging:  
Managing Multiple Generations

Carolyn Miller (and Asila Calhoun)

- Your First Thoughts
- Stereotypes and Dispelling Myths
- Diversity Wheel
- Managing Multiple Generations

**12:00PM** Instructions for Tomorrow and Adjourn

### Post-Class Assignment:

- Suggested reading: "How to Manage Intergenerational Conflict in the Workplace"

## Tuesday, February 20

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**8:30AM** Mix-n-Mingle Rooms

**9:00AM** Effectively Communicating with Staff

Carolyn Miller (and Asila Calhoun)

- Importance of Communication
- Review of the Communication Process
- Active Listening Techniques
- Role and Types of Questions
- Ladder of Inference

**12:00PM** Instructions for Tomorrow and Adjourn

### Post-Class Assignment:

- Read "Who's Got the Monkey" – Harvard Business Review article

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## **Wednesday, February 21**

**8:30AM Mix-n-Mingle Rooms**

**9:00AM Checking Yourself**

**Rebecca Jackson (and Asila Calhoun)**

- Drama Triangle
- Emotional Triggers
- Getting Out of the Drama Triangle
- I messages
- Performance Conversation Planning

**12:00PM Instructions for Tomorrow and Adjourn**

**Post-Class Assignment:**

- Complete Performance Conversation Planning Worksheet prior to Day 9
- Meet with Learning Partner to discuss Day 6-7-8 Reflection Questions

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## **Thursday, February 22**

**8:30AM Mix-n-Mingle Rooms**

**9:00AM Feedback and Coaching**

**Rebecca Jackson (and Asila Calhoun)**

- What is Feedback? Why is it important? What are its limitations?
- Performance Conversation Model
- Feedback and Performance Conversation Practice
- Transfer of Training back on the Job

**Post-Class Assignment:**

- Complete FSP Personal Development Plan and share with your supervisor and staff as desired
- Commit to making changes identified in the Personal Development Plan
- Send an email to your Learning Partner using an "I" message to recognize them for how they helped you during FSP program.
- Contact course instructors with questions

**12:00PM Adjourn**

# FUNDAMENTAL SUPERVISORY PRACTICES

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SCHOOL OF GOVERNMENT

Center for Public Leadership and Governance

## **Fundamental Supervisory Practices**

# **Session One**

# **Setting the Context**



# Fundamental Supervisory Practices

## Center for Public Leadership and Governance

### UNC-School of Government

#### **This course will assist you in learning:**

- more about yourself and your management style, and how that impacts your effectiveness.
- the role, duties and skills needed to be an effective supervisor in the public sector.
- how to build your credibility and make the transition from buddy to boss
- the critical employment laws that impact the workplace and how to create a safe, professional and harassment free workplace.
- how to work effectively in a diverse environment with multi-generations, and how to create an inclusive environment where all can prosper.
- techniques and strategies to improve communication, deliver difficult performance feedback and engage in productive coaching conversations with direct reports.
- how to diagnose complex issues facing supervisors and design effective solutions.

#### **Session 1**

##### **Topics covered in today's session**

- Welcome, introductions and expectations for the course.
- Examining the role of a supervisor
- Exploring what it means to be a supervisor in the public sector
- Identifying the skills needed to be a more agile learner
- Introduction to the learning model that sets the basis for the class.



# Learning Agility

Warner Burke/David Hoff

## Critical Dimensions

**Flexibility**-being open to new ideas and proposing new solutions.

**Speed**-Acting on ideas quickly so that those not working are discarded and other possibilities are accelerated.

## Other Dimensions

**Interpersonal Risk Taking**-Discussing differences with others in ways that lead to learning and change.

**Performance Risk Taking**-Seeking new activities (e.g., tasks, assignments, roles) that provide opportunities to be challenged.

**Reflecting**-Slowing down to evaluate one's own performance in order to be more effective.

**Experimenting**-Trying new opportunities for learning (e.g., approaches, ideas) to determine what is effective.

**Collaborating**-Finding ways to work with others that generate new opportunities for learning.

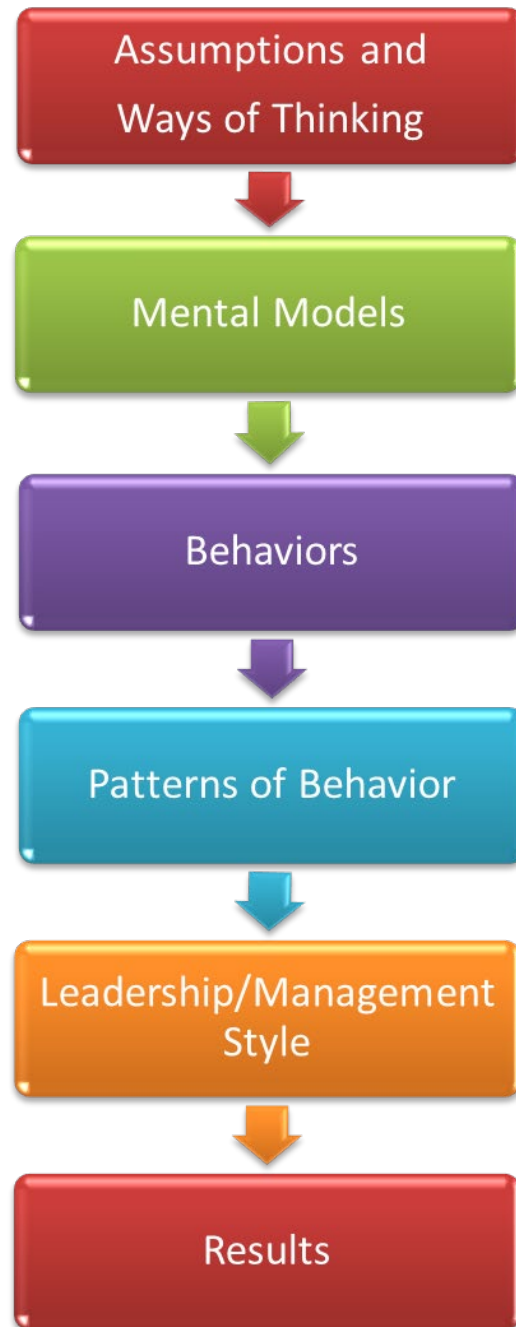
**Information Gathering**-Using various methods to remain current in one's area of expertise.

**Feedback-Seeking**-Asking others for feedback on one's ideas and overall performance.



# Learning Model

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Center for Public Leadership and Governance

## **Fundamental Supervisory Practices**

# **Assignments**

## **Session One**



## ***Skills and Knowledge Needed for Supervision***

Rate the following skills on a 1 to 10 scale. 1 is not skilled, 10 is highly skilled. Then, rate according to the relative importance to you now.

### **Skills**

#### ***Planning Work***

Skill level	1-Low	5	10-High
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Importance	1-Low	5	10-High
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Comments:

#### ***Organizing Work***

Skill level	1-Low	5	10-High
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Importance	1-Low	5	10-High
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Comments:

#### ***Setting Priorities***

Skill level	1-Low	5	10-High
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Importance	1-Low	5	10-High
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Comments:

#### ***Managing Time***

Skill level	1-Low	5	10-High
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Importance	1-Low	5	10-High
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Comments:

#### ***Delegating Work***

Skill level	1-Low	5	10-High
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Importance	1-Low	5	10-High
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Comments:

#### ***Problem-Solving***

Skill level	1-Low	5	10-High
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Importance	1-Low	5	10-High
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Comments:









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## **Fundamental Supervisory Practices**

# **Session Two Skills Needed to be An Effective Supervisor**



# **Fundamental Supervisory Practices**

## **Center for Public Leadership and Governance**

### **UNC-School of Government**

#### **Session 2**

#### **Topics covered in today's session:**

- Examine the skills important for effective supervision and assess your current competence with each skill.
- Examine the skills needed to establish trust and credibility as a supervisor.
- Clarify skills and attitude needed to move from buddy to boss.
- Review and discuss responses to new supervisor case studies.
- Meet your learning partner and begin reflecting on your course learnings to date.











## **Case Scenarios**

### **Case Study 1**

You worked for the County for 4 years as Child Support Officer. Two months ago your supervisor retired and you were promoted to the Child Support Supervisor position. You were selected for the job over Alice, a long-term employee who trained you when you arrived on the job. You have noticed that Alice hasn't really talked much to you since your promotion (and you used to share personal information about your families) and yesterday she told you she did not want to be asked to help train the new employee who has taken your place.

### **Case Study 2**

You were recently promoted to the position of Fleet Maintenance Supervisor. You were previously the Lead Mechanic who worked under a boss that was always micromanaging the work unit. When you got promoted you told others in the garage that you were going to trust them to get their work done, and that you would not be on top of them all the time like the previous supervisor (Ralph) was. A few minutes ago one of the mechanics (who is also one a friend outside of work who you like to go fishing with) sticks his head in your office door and says he plans to take leave time this afternoon because the "fish are biting and it's too nice outside to be at work." He also says "I am so glad you are in this job. Ralph probably wouldn't have let me off." You know that there is a fire truck and sanitation truck that are currently in the shop and need some significant work before they can be put back on the road. You are worried that losing a mechanic for an afternoon will delay the repair work and hurt the operations of the departments who use these vehicles.

### **Case Study 3**

Last week you were promoted to the job of Accounting Supervisor in the Finance Department after working as an Accounting Specialist in the same department. Before you were promoted you used to go out to lunch a couple times a week with two other employees in the office who you would consider your closest work friends. You have invited the others to join you for lunch in the past, but they have not accepted the invitation. You are headed out the door to lunch with your usual work group and you overhear one of the other employees say, "I know who is going to get the best merit raises this year."

### **Case Study 4**

You have a Master's degree in Planning and had worked with the City for 6 months as a Planner when your boss, the Planning Director, resigned. You applied for the position and were selected for the job. Your staff consists of a Planner, who has worked for the City for 7 years and is 10 years older than you. He did not apply for the job "because he knew you would get it" and has a tendency just to do enough to get by; a Planning Technician who is 20 years older than you and has worked for the City since graduating from community college and is very proficient in her work, and an Administrative Assistant/Receptionist (about your age) who has been working for the City for 3 years, and has a habit of leaving the front desk unattended. She's also engaged to your cousin. Tomorrow will be your first day in the Planning Director role. What will you do?



# Six Disciplines of Credibility

Kouzes and Posner

## 1. **Discovering Yourself**

*Essential ingredients for leadership: Credo, Competence and Confidence.*

- Know what you are doing and why
- Develop guiding values and follow them in making decisions.
- Seek out training and always look for ways to improve.
- Admit strengths and weaknesses.

## 2. **Appreciating Constituents (and their diversity)**

*Leadership is a dialogue, not a monologue*

- Be accessible
- Listen everywhere and listen well
- Learn your employees' stories.
  - What do they value?
  - What do they need?
  - Put yourself in their shoes and show empathy.
  - Appreciate the contributions of others. (Provide praise and recognition.)

## 3. **Affirming Shared Values**

*Honor diversity and find common ground*

- Create a culture of collaboration.
- Build a strong sense of community within the team
- Create shared values and norms

## 4. **Developing Capacity**

*Liberate the leader in others*

- Develop your staff – educate, educate, educate
- Promote training and provide resources
- Allow others to make decisions (give people more discretion) and keep them informed.
- Reward initiative
- Treat everyone as a leader of their own work.

## 5. **Serving a Purpose**

*Recognize leadership as a service*

- Be a servant leader – “Others-focused”
- Audit how you spend your time. Does your time match your values?
- Take actions based on values.
- Be the first to what has been agreed to. Set the example

## 6. **Sustaining Hope**

*Be a cheerleader – be there at tough times.*

- Inspire others; stay positive and upbeat
- Take pro-active steps to behave in ways that promote health and wellness.
- Show compassion, and continue to follow guiding principles.
- Be flexible to change plans if this is needed and set new goals.

## **Rebuilding Credibility**

“Rebuilding lost leadership credibility will require daily attention. Leaders will have to nurture their relationships with constituents. They will have to show people that they care, every day. They will have to take the time to act consciously and consistently. Their actions must speak louder than their words. Leadership after all, exists only in the eyes of constituents.”

(From *Credibility: How Leaders Gain and Lose It, Why People Demand It*, Kouzes and Posner, 2003)

# What are your Guiding Principles?

Guiding Principles are a set of values that guide your decisions and remind you how to act when managing others. In their book, *Credibility: Why Leaders Gain and Lose It, Why People Demand It*, Kouzes and Posner (2003) note that credibility is strengthened when the leader has a philosophy and acts in ways that are consistent with it. This also requires staying true to these values even in times of adversity.

Developing a set of guiding principles can help you be a more effective supervisor and serve as a framework for managing yourself. Your guiding principles can be written in any style that works for you. Two examples are provided below.

## Example 1:

I will follow through and do what I say I will do.

I will make decisions that are in the greatest interest of all, and not just for one person.

I will say “yes” to staff suggestions whenever possible.

I will celebrate accomplishments of staff.

I will approach change with optimism.

I will seek to understand the needs of others.

I will accept responsibility for mistakes.

I will encourage others to make decisions.

## Example 2

Lead by example

Be consistent in attitude and actions

Be transparent in decision-making

Help others grow and learn

Set expectations and hold others accountable

Seek feedback from others

Value diversity and foster inclusion

To develop your own guiding principles, consider using the following process.

Step 1: Think about what you would want your staff members to say about you if they were asked to describe you as a supervisor and write those thoughts below.

Step 2: Using the list above, and from considering other relevant self-knowledge, develop 4-8 Guiding Principles that reflect how you want to behave as a supervisor.

Step 3: Examine these principles on a regular basis and ensure your actions are consistent with your Guiding Principles

# 5

## Tips for Successful Transitioning

by Dale Smith, CEO



**Smith Management Training & Consulting Services operates on the premise that for individuals & teams to succeed they have to Work Hard, Love Hard & Play Hard!**

**Our mission is to help individuals & teams reach their common goals & develop strong relationships while doing it.**

**With that thought in mind, let's discuss transitioning!**

### TRANSITIONING

It looks and sounds simple! Usually people think "I am good at what I do and I have been rewarded by getting a promotion and now I have arrived", but the promotion is only the beginning. I have witnessed time and time again that people don't understand the thought that needs to go into transitioning into another role, specifically if you are supervising people. I think that the process of applying for a job, interviewing and accepting the new job gets more of the attention sometimes than the actual start of the job. This is where I want to help you avoid some of the things that I see on a regular basis that continues to have supervisors starting behind the curve.

I will also say, THIS IS NOT ROCKET SCIENCE!

#### TIP #1

**Develop a formal introduction beginning the first day.**

This is the FIRST thing that should be accomplished when moving into a new role. This should be completed whether you are transferring into a new position in your current organization or whether you are starting at a new agency. The introduction sets the tone for the future. **A formal process really makes you think through the steps and allows you to be PURPOSEFUL in your approach.** This process also allows to establish Leadership right away and establish a consistent message. I have heard time and time again that people show up for the first day and just go to work, never meeting their team or have any opportunity to get to know them. This process will make sure that does not occur.

#### **First – Meet with Direct Reports as a Team & Set Expectations**

What works well in this scenario is to first introduce yourself, share your background and why it was important for you to become a part of this team. Then have your direct reports introduce themselves and tell a little about their background. After the introductions, follow an agenda that is purposeful. Discuss expectations – what they can expect from you and what you expect from them. This interaction should be specific but uplifting. It should include your value system as a manager and should indicate why those are important to you and the

company. Along with that you should be prepared to talk about your thoughts on the future and what you generally hope to accomplish. This should be clear and concise so that everyone there is clear on the direction when they leave. Being clear and concise is important for the start of any transition.

#### **Second – Schedule Direct Report Interviews; Make Formal & Consistent**

This also is a very important piece to establishing leadership and understanding the dynamics occurring within the agency. The key to this is consistency. An agenda should be developed to assure that each employee is addressed the same way. I typically develop a list of questions that are important to the overall business operation along with giving the employee an opportunity to share more of their background to get to know them better.

This sometimes is not done internally because the new supervisor either has been working in the same group or they have had the ability to witness work within this group. \*NOTE\* - just because you have witnessed something or have worked in a different role within a work group does not mean that you



know the full extent of the situation. It is very important that a clean slate is brought into this dynamic. A sample Agenda would include:

- Overview of experience
- Explanation of their job and their role within agency
- Goals for their division
- Positives and negatives of their position
- Explanation of day to day operations
- Knowledge of unique situations to help understand history
- Tour of worksite and/or facilities if possible
- General needs that are not being met

## TIP #2

### Talk Less, Listen More!

The mastery of this can make or break a successful transition. Employees appreciate the ability to tell their story and also express their own reality. Give them the ability to do that. A lot of new managers have a tendency to think that their employees expect the new manager to have all the answers. Quite the opposite is my experience. The employees that are in the situation believe that they have the answers but are not getting to share them. They want to share. **The best managers are those that listen, evaluate and listen some more before action is taken, specifically during a transition period.**

I have seen where the transitioning manager has arbitrarily instituted new processes that went well for them at a previous location. The thought is that it will

### Third – Schedule Expectations Meeting with Full Team

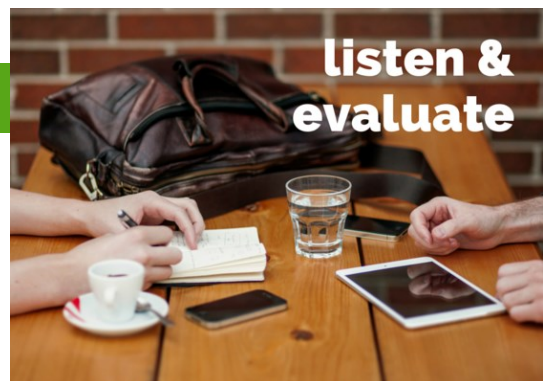
This meeting can be accomplished in a number of ways. You can meet with individual teams or with the organization as a whole. This will all depend on time and the number of employees that you have. I, suggest, however that no matter how large the organization, that you make the effort to reach everyone in the company in some fashion to introduce yourself and have them do the same. This message should be consistent with the Direct Reports' conversation.

Again, develop an agenda for this interaction to make sure you keep consistency. Potential format could look like this for this meeting:

- Overview of your background and why you took the job
- Hold an abbreviated version of the previous expectation meetings done with Direct Reports
- Provide time for formal introductions by employees
- Learn names and positions – very, very critical!

For each of these discussions always remember:

- Be Prepared
- Be Yourself
- Be Authentic
- Be Specific



work for this particular set of issues as well but they didn't fully vet the options that might exist and the process failed. This type of action with little discovery can lead to inefficiencies and discontent among employees.

To be able to stay away from that type of mistake, LISTEN and EVALUATE – you will be glad you did!

### TIP #3

Changes should be made slowly.

This is a potential HOLE that transitioning supervisors can make for themselves.

Transitioning supervisors must recognize that change is hard for most people but not for why most people think. Typically, people don't like change because they don't understand it and they don't understand how it might benefit them. That is why it is important to change slowly in these circumstances because it is hard to make changes without having developed a foundation of trust and communication. This does not mean, do not change, it just means do it slowly and give time for trust to develop.

Also, changes that are made should include the people that they affect.

I have read that 70% of all revolutionary change fails. It has usually been connected to the absence of a clear, thought-out process for change (Burke, 2011).



### TIP #4

Negative thoughts on previous administrations should not be shared.

Well, this one should be a no brainer, but I see this regularly with new managers.

Usually when this occurs there is typically a lack of awareness of how this type of communication can negatively affect the organization or a miscalculation that this type of criticism can establish their leadership. Either one can destroy trust and develop strong negative feelings from employees that worked under the previous administration. This one is easily avoidable.

Remember everyone has had a previous administration and there are people within the agency that developed relationships and are still loyal to that relationship.

## TIP #5

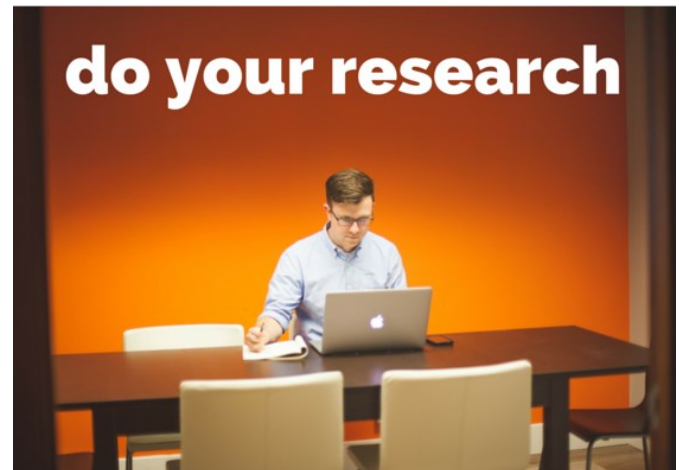
### Recognition of the differences between perception and reality.

This one is tricky. It can happen when a manager is promoted within an agency and for sure when a manager is going into a new organization.

Let's talk first about an internal promotion. All of us in the workplace make assumptions about what people's roles are and how they are performing those roles, especially if we have the ability to witness that performance on some type of consistent level. The trap that occurs internally with this type of access is that we "think we know" but truly "Do we know?" I would advise all internal transitioning supervisors to realize that the purview that you may have had may not give you the information needed to make an informed decision and that bringing that into the new scenario would be a mistake. Employees want to be treated fairly and they want a manager that has the ability to gauge their work objectively. That having been said, they need to know that you are starting out with a clean slate. This is NOT easy but good managers practice this relentlessly.

Now, let's discuss an external move. I think almost always what is perceived to be the situation is never the exact situation. So, my advice is to be prepared for that. Do your homework up front on your new agency. Talk with people that you know that may know the agency intimately, make sure you ask the right questions of management to get the best feel of the

organization and stay curious. When you apply for a job, typically in government, you look at the agency, the benefits, the salary and you do some homework on the town, city or county and determine then if you are interested in being a part of their team. Everyone's best foot is put forward during this process but be mindful that you don't know an agency truly until you are a part of it. Make sure, as best you can, that your values line up with the values of the organization. It is hard when the perception of an alliance initially appears to but actually does not.



## CONCLUSION

Finally, in conclusion, it so important that you recognize the following when transitioning into a new role:

- *First Day Impressions Should Be Planned*
- *Initial Six Months is a Critical Time Period –Move Slowly*
- *Change is Difficult for Most People because the Benefit is not Understood or Communicated*
- *Understand Your Reality*
- *Listen and Evaluate!*



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SCHOOL OF GOVERNMENT

Center for Public Leadership and Governance

## **Fundamental Supervisory Practices**

# **Assignments**

## **Session Two**



## Fundamental Supervisory Practices Sessions 1-2 Reflection Questions

1. What insights do you have about your role as a supervisor?
2. What questions remain for you around your role as a supervisor?
3. What concerns do you have about developing your own credibility?
4. How are you making the transition from peer to supervisor?
5. What did you learn about learning agility that is relevant for you?
6. What insights do you have about your own mental models? Where have they helped?  
What have they hurt?





## **Fundamental Supervisory Practices**

# **Sessions Three & Four**

# **Your True TILT and How to Use It**



# Fundamental Supervisory Practices

## Center for Public Leadership and Governance

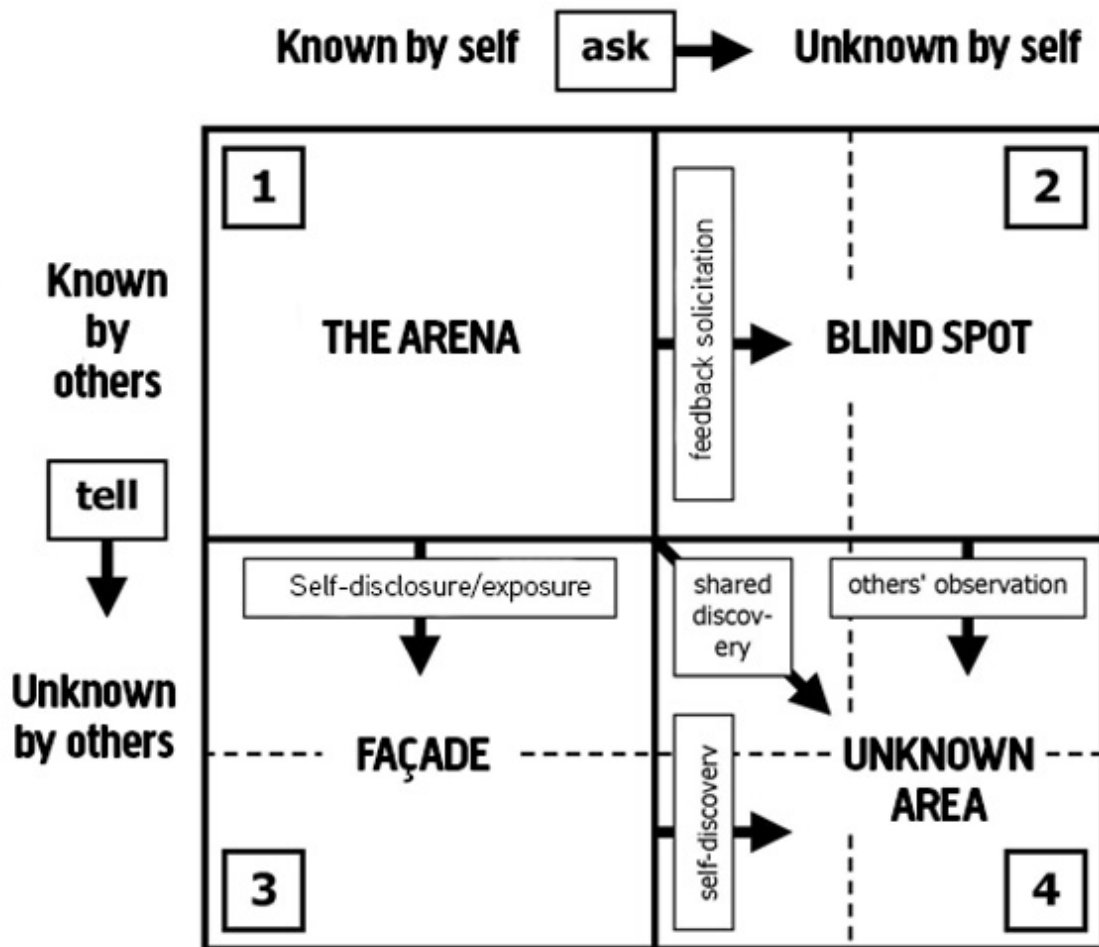
### UNC-School of Government

#### Session Objectives:

- Introduction to the True TILT model to help increase self-awareness and understanding of your preferred character strengths, how these differ from personality traits and how these show up in your interactions with others.
- Identify situations in which you might over/under use these character traits and identify the impact on you and others.
- Identify ways that you can improve your effectiveness by stretching to other character traits you may be underusing or neglecting.
- Provide a framework and language to help you have productive and meaningful conversations with your direct reports and your manager.
- Identify what motivates you and your direct reports and how to create a climate where employees are engaged.



# Johari Window Model







# Connection

## THE CROSS-POLLINATOR

When you are Tilting in CONNECTION it means you currently appear to be focused on connecting PEOPLE and IDEAS, and your top two character strengths are seen as Likability & Openness. This combination may mean you are tuned in to people and socializing your ideas right now. You may notice you are more alert to the needs of others and can intuit just how to help them. In this mode, you may feel more receptive than usual and can quickly interpret the cues to improvise. You may be focused on expanding social networks and positive influence through others.

Top 2 True Tilt Quadrants: Resilience and Humanity

Top Outcome: Collaboration

Top Question: Who?

Top 2 Motivators: People & Ideas

Top Character Strengths: Openness, Likability, Empathy, Inspiration

Motivates You: Socializing, Storytelling

Internal Motivation Levers: Freedom & Belonging

Demotivates You: Constraints, Judgment

Best Pace: Quick, Spontaneous

Wants from Others: Freedom, Diplomacy

Offers to Others: Acceptance of Differences

Top Emotions: Joy, Laughter

Stress Reaction: Overwhelm, which can cause confusion.

Emotions Under Stress: Guilt, Shame

Inner Stress Experience: deflect and flee

Motto: So many ideas, so many people, so little time.

Big Moves: Be Wise. Be Bold..





# Structure

## MASTER MIND

When you are Tilting in STRUCTURE it means you currently appear to be focused on connecting DATA and RESULTS, and your top two character strengths are seen as Integrity and Diligence. This combination may indicate that you are focused on execution. This usually relates to masterminding and building intricate, precise systems that offer stability and sustainability over time. You know how to focus and execute work that requires complex reasoning and heavy task orientation, so others will experience you as a bit anti-social until the work is done.

Top 2 True Tilt Quadrants: Wisdom and Courage

Top Outcome: Execution

Top Question: How?

Top 2 Motivators: Data & Results

Top Character Strengths: Diligence, Integrity, Focus, Boldness

Motivates You: Efficiency, Execution

Internal Motivation Levers: Significance & Autonomy

Demotivates You: Emotionality, Ignorance

Best Pace: Measured, Efficient

Wants from Others: Autonomy, Respect

Offers to Others: Decisiveness, Discipline

Top Emotions: Thrills, Pride

Stress Reaction: Obsession, which can cause micromanagement.

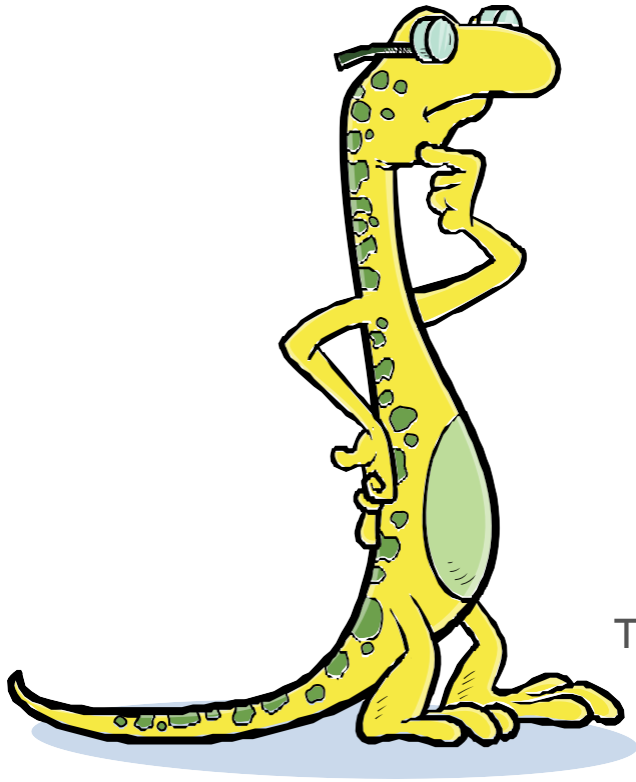
Emotions Under Stress: Anger, Disgust

Inner Stress Experience: Freeze and Fight

Motto: Efficiency & precision is perfection.

Big Moves: Be Kind. Be Unique.





# Clarity

## THE QUIET GENIUS

When you are Tilting in CLARITY it means you currently appear to be focused on connecting PEOPLE and DATA, and your top two character strengths are seen as Trust and Perspective. This combination may mean you are focused on interpreting and analyzing data that can ultimately affect people. Right now, you are not ready to make decisions and instead, are investigating the details thoroughly so you can explore your options. You may find yourself playing an advisory role during this time because others sense they can trust you and find your judgment credible.

Top 2 True Tilt Quadrants: Wisdom and Humanity

Top Outcome: Alignment

Top Question: What?

Top 2 Motivators: People & Data

Top Character Strengths: Trust, Perspective, Empathy, Focus

Motivates You: Researching, Supporting

Internal Motivation Levers: Belonging & Significance

Demotivates You: Rudeness, Rushing

Best Pace: Patient, Thoughtful

Wants from Others: Appreciation, Kindness

Offers to Others: Discernment, Support

Top Emotions: Gratitude, Appreciation

Stress Reaction: Resistance, which can cause status quo.

Emotions Under Stress: Worry, Anxiety

Inner Stress Experience: deflect and Freeze

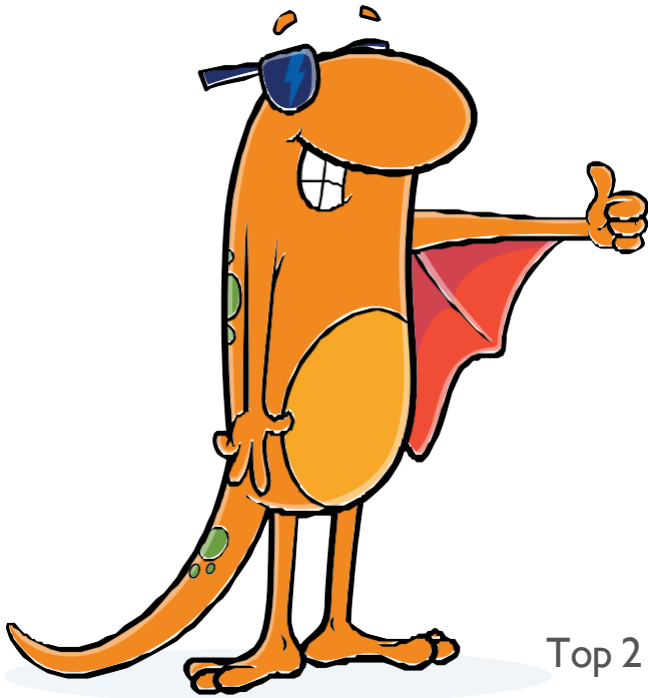
Motto: It's better to prepare than regret.

Big Moves: Be Bold. Be Unique.



# Impact

## THE CHANGE CATALYST



When you are Tilting in IMPACT it means that you currently appear to be focused on connecting IDEAS and RESULTS, and your top two character strengths are seen as Confidence and Creativity. This combination indicates that you may be focused on inventing new solutions that demonstrate your ability to link disparate pieces of information into meaningful expressions of your creative imagination. Your current behaviors are conveying that you appear ready to take risks and want to drive a new idea into action quickly. You may be experiencing a pressing need to follow your gut instinct regarding your hunches.

Top 2 True Tilt Quadrants: Resilience and Courage

Top Outcome: Innovation

Top Question: Why?

Top 2 Motivators: Ideas & Action

Top Character Strengths: Confidence, Creativity, Boldness, Inspiration

Motivates You: Changing the World

Internal Motivation Levers: Autonomy & Freedom

Demotivates You: Resistance, Naysayers

Best Pace: Rocket Speed

Wants from Others: Positivity, Cooperation

Offers to Others: Confidence, Risk-taking

Top Emotions: Urgency, Excitement

Stress Reaction: Impulsivity, which can cause false starts.

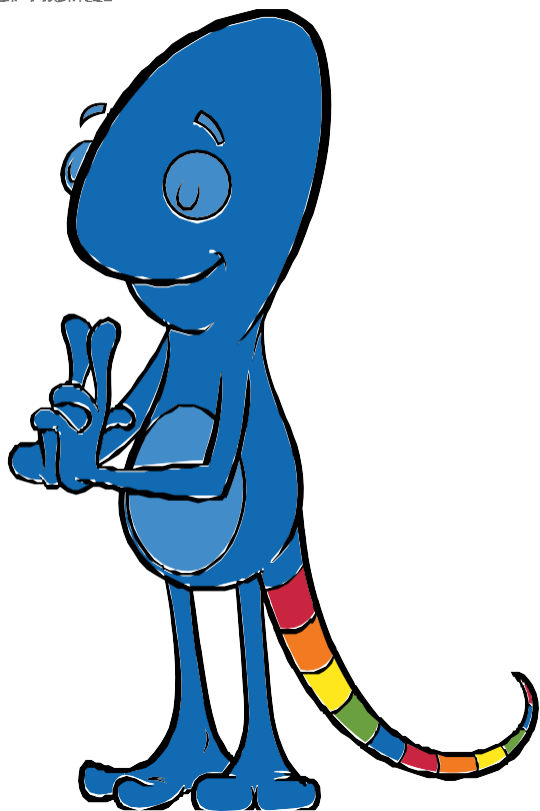
Emotions Under Stress: Anger, Frustration

Inner Stress Experience: Fight and Flee

Motto: Everything that tests me make me feel alive!

Big Moves: Be Kind. Be Wise.





# Agile

## THE POSITIVE INFLUENCER

When you have developed balance in all of the character strengths on the Tilt Model, then you are able to lean into whatever is needed in a given context. When triggered, you self-regulate your own behavior so that you do not trigger reactionary behavior in others. As a result, you have positive influence on those around you. This enables the people around you to show up at their best too.

Top Question: Where should I Tilt right now?

Top Motivators: Balance and Flow

Top Character Strength: Self-regulation

Motivates You: Creative Contribution in your chosen domain.

Motivation Levers: Being in flow.

Demotivates You: Distraction from flow.

Best Pace: Whatever the current situation needs.

Wants from Others: Character development, so the team can be in flow.

Offers to Others: Model for behavior.

Top Emotions: Gratitude, fulfillment

Stress Reaction: The same as your True Tilt, but you can recover quickly.

Emotions Under Stress: The same as your True Tilt, but you can recover quickly.

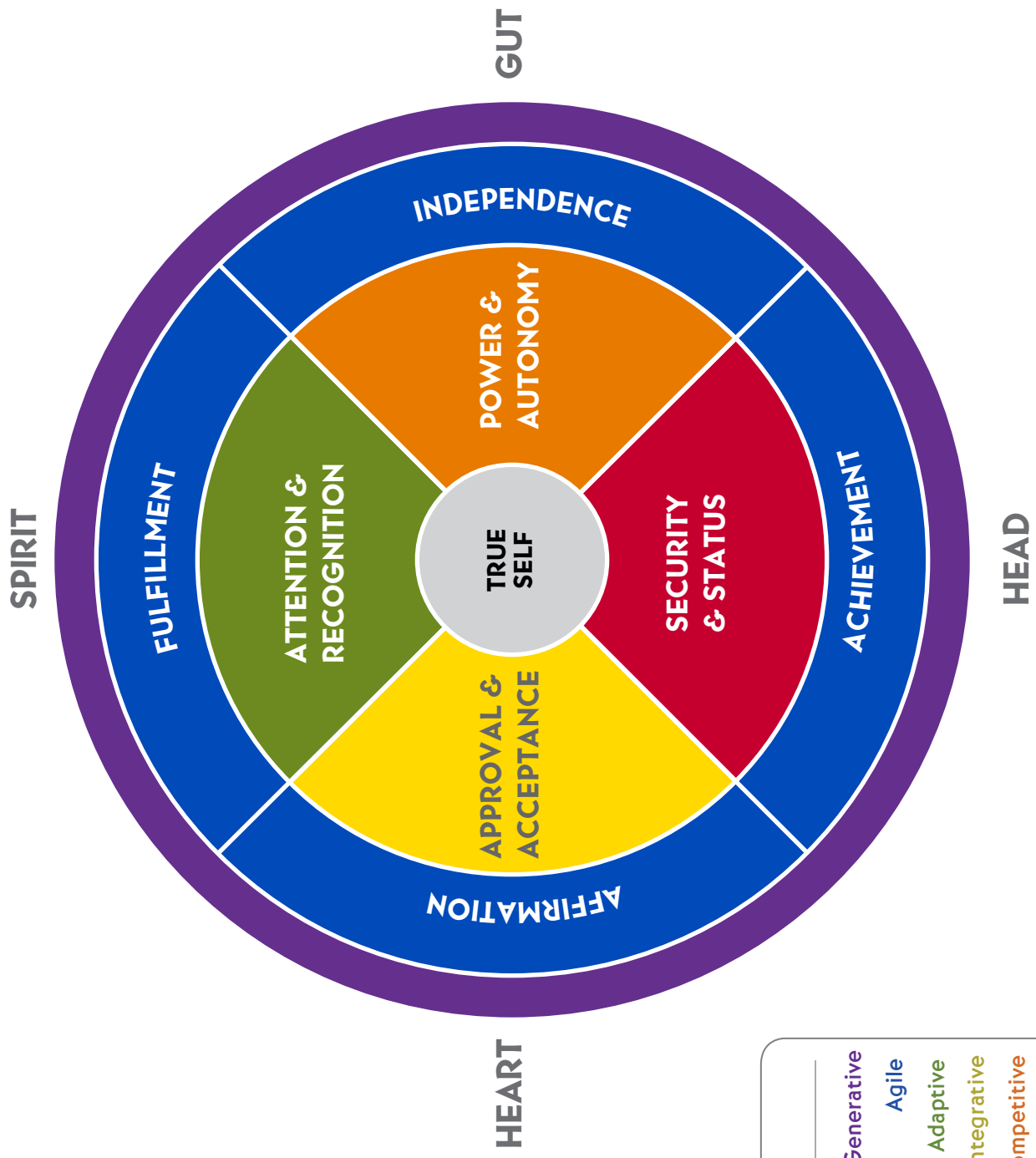
Inner Stress Experience: The same as your True Tilt, but it's less likely to show up and you can recover from it quickly.

Motto: Be Kind, Be Wise, Be Bold, Be Unique, Be Real

Big Moves: What am I doing "big" in the world while I have Positive Influence?



# TILT PRESENCE WHEEL

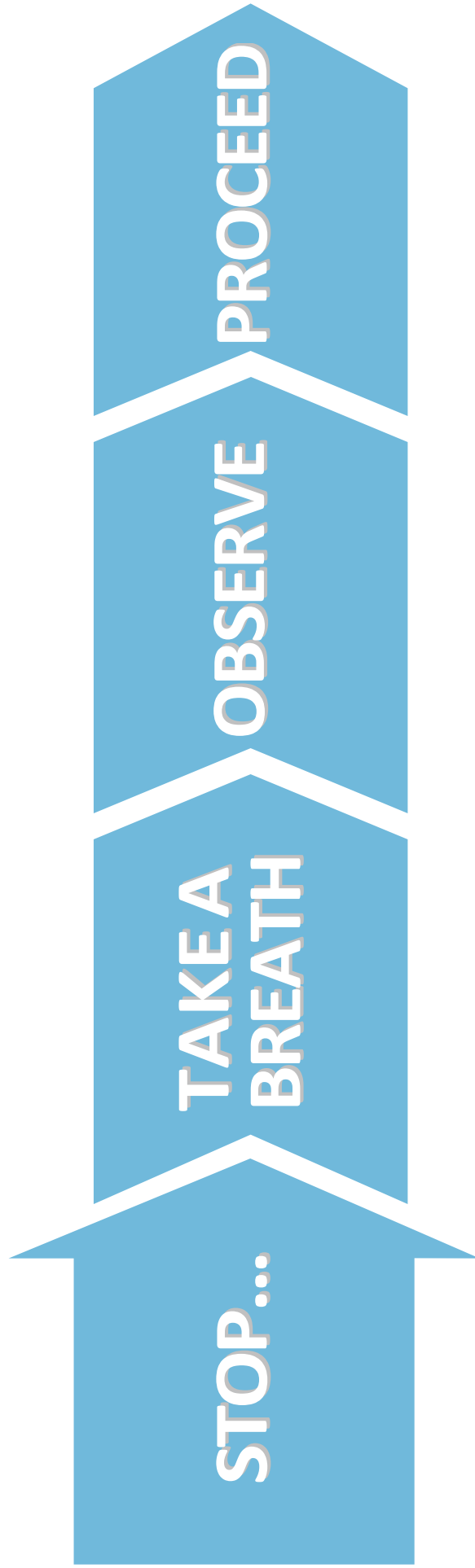


THE SIX MINDSETS

Purple	Generative
Blue	Agile
Green	Adaptive
Yellow	Integrative
Orange	Competitive
Red	Protective



# CHOOSING CONSCIOUS, BALANCED RESPONSES.



**STOP** – and notice what is happening, what is triggering you. Your unconscious reaction will be one of the 4 Fs.

**TAKE A BREATH** - take a deep breath to calm down the parasympathetic nervous system – and take as long as you need. If that means saying, “I will have to think on this and come back to you,” so be it.

**OBSERVE** - tune into all four parts of your whole self – your emotions, your logic, your “gut” and your spirit. Identify which one you’re not paying attention to and has you out of balance.

**PROCEED** - Choose the response that aligns with your intention for a better outcome.

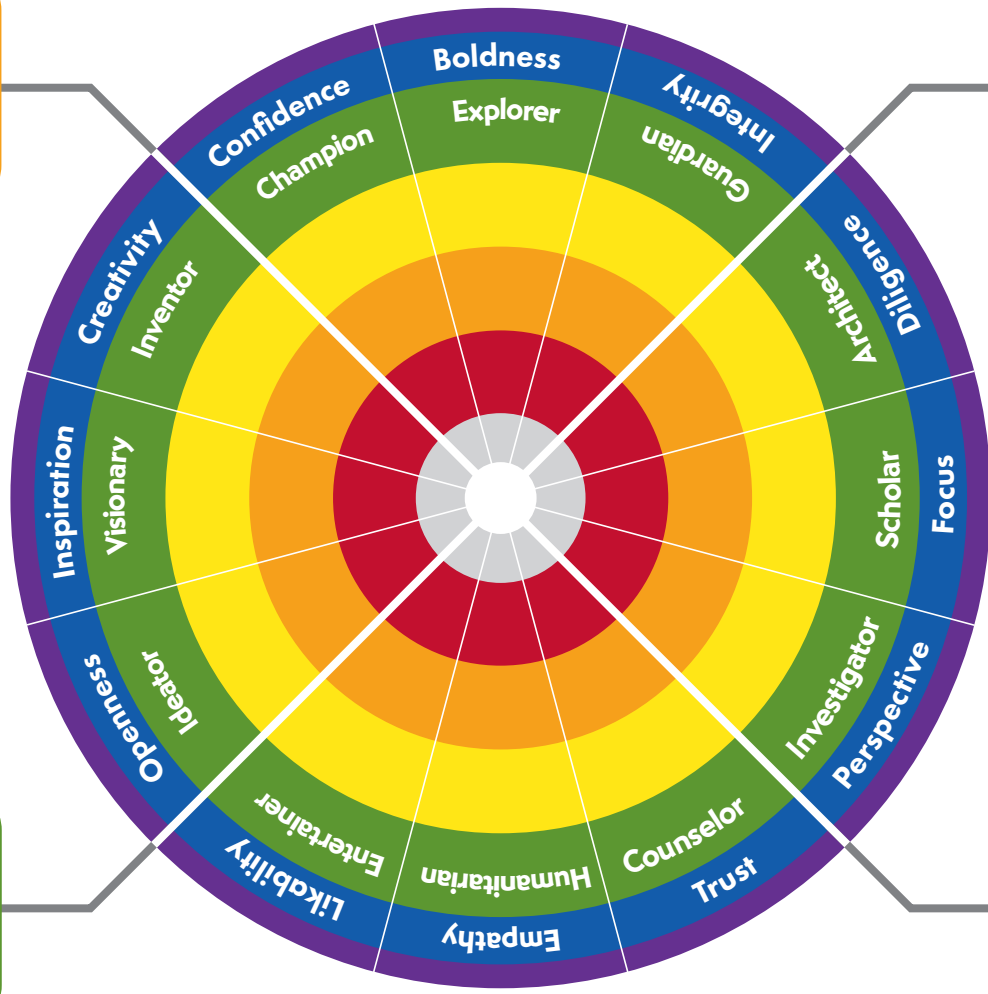


Tilt 365



RESILIENCE : SPIRIT  
IDEA - DRIVEN

CHANGE



COURAGE : GUT  
RESULTS - DRIVEN

HUMANITY : HEART  
PEOPLE - DRIVEN



WISDOM : HEAD  
DATA - DRIVEN

STABILITY

**THE SIX MINDSETS**

- Purple
- Blue
- Green
- Yellow
- Orange
- Red

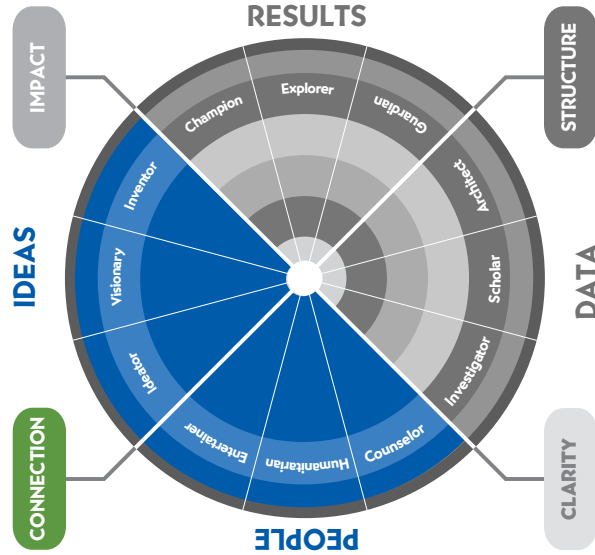
- Generative
- Agile
- Adaptive
- Integrative
- Competitive
- Protective



# CONNECTION

## WHAT THEY CARE ABOUT:

PEOPLE AND IDEAS  
ACCEPTANCE AND FREEDOM



### WHAT TO LOOK FOR

- Friendly, chatty, enthusiastic
- Short attention span and easily distracted

- Commits easily but doesn't always follow through

### HOW THEY SEE THEMSELVES

- Creative and optimistic
- Great at building relationships
- Well-connected and well liked

### HOW THEY MAY BE SEEN BY OTHERS

- Overly optimistic with happy ears
- All talk and no action
- Overly focused on relationship not business

### RISK TILT - STRUCTURE. CONNECTION MAY VIEW STRUCTURE AS

- Too much detail and can't see the big picture
- Unemotional, critical and inflexible
- Dull, not a lot of fun to be around

### THEY EXPECT YOU TO

- Recognition and praise - for everything!
- Positivity, especially for their ideas
- Optimism – it's not that bad, we can do this!

### DO

- Recognise the need for chit-chat
- Give the big picture
- Smile and show optimism/enthusiasm

### DONT

- Pooh-pooh their ideas
- Use "yes but"
- Talk for too long

### PRESSURE RESPONSE

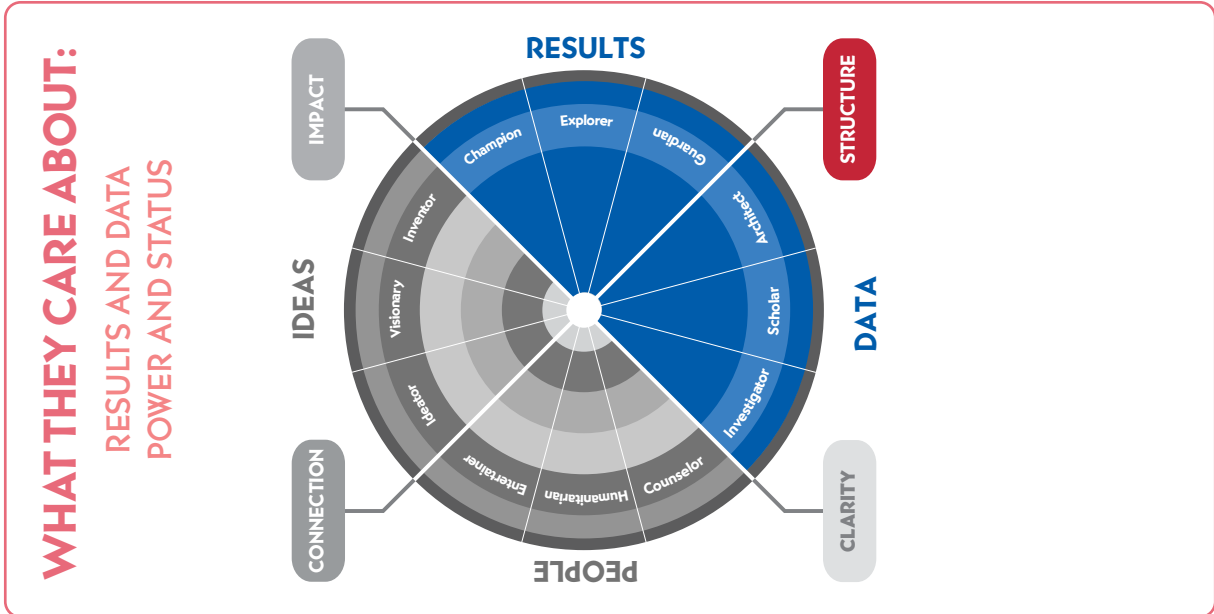
- FLIP OF DEFLECT – their optimism may miss even seeing a problem or just pretend it's not there. If they do see it they prefer to deflect the blame elsewhere or throw in a distraction to change the subject.

### IF YOU THINK THEY ARE UNHAPPY WITH YOU!

- Change the environment to something less formal that enables a chat - a coffee, game of golf, anything more sociable.



# STRUCTURE



**WHAT TO LOOK FOR**

- Monotonic and factual speech
- Logical and detailed answers/arguments
- Frustration with interruptions or changes of plan

**HOW THEY SEE THEMSELVES**

- As the only ones capable to get things done
- Reasoned, logical and working to high standards
- Good at planning and execution

**HOW THEY MAY BE SEEN BY OTHERS**

- Pedantic and critical
- Unemotional, uncaring and inflexible
- Overly focused on details

**RISK TILT - CONNECTION. STRUCTURE MAY VIEW CONNECTION AS**

- Shallow and lacking in substance
- Not thinking things through
- Distracting and never stop talking

**THEY EXPECT YOU TO**

- Be thorough and have done your homework
- Be logical in your reasoning
- Have the data to back up what you are saying

**DO**

- Think things through before engaging with them
- Make contact and arrangements by email
- Be specific and clear in what you are saying or asking

**DONT**

- Interrupt what they are doing or saying
- Show emotion or try to engage them in small talk
- Expect immediate enthusiasm or commitment

**PRESSURE RESPONSE**

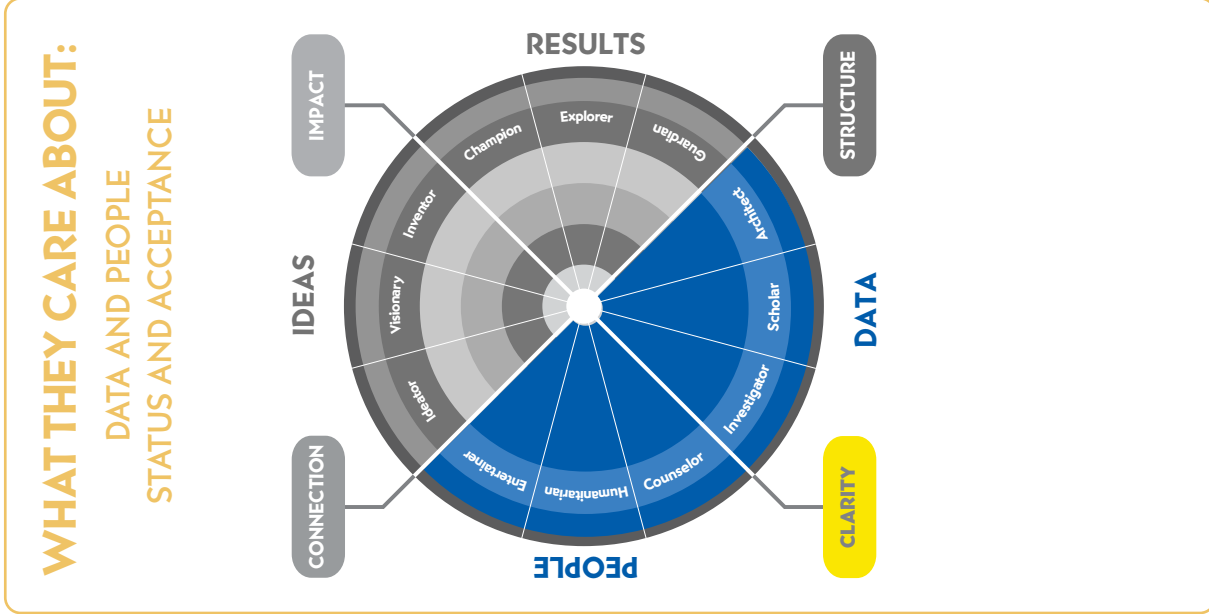
- **FIGHT OR FREEZE** – If they are confident in their data, they will fight their corner strongly. Without it they find it very difficult to act, which may end in analysis paralysis.

**IF YOU THINK THEY ARE UNHAPPY WITH YOU**

- Avoid responding too quickly. Give them space then summarise the situation with specifics and in writing, give a logical way forward, ideally based on what they have requested.



# CLARITY



**WHAT TO LOOK FOR**

- Polite, inclusive, caring and liking harmony
- Fair, wanting to do right thing for all

- Cautious, considering all possible outcomes

**HOW THEY SEE THEMSELVES**

- Cautious and rightly so
- Empathic and caring
- The protectors of quality and people

**HOW THEY MAY BE SEEN BY OTHERS**

- Indecisive and hesitant
- Overly accommodating and trusting
- Trying too hard to keep everyone happy

**RISK TILT - IMPACT. CLARITY MAY VIEW IMPACT AS**

- Blunt, aggressive and irritable
- Too quick to come to a solution/decision
- Difficult to know how to deal with

**THEY EXPECT YOU TO**

- Be courteous and polite
- Respect social conventions
- Act with honesty and integrity

**DO**

- Reassure them with substance
- Listen and acknowledge their concerns
- Prepare them for what's coming

**DONT**

- Ignore potential risks
- Give them too many options
- Expect immediate answers or commitment

**PRESSURE RESPONSE**

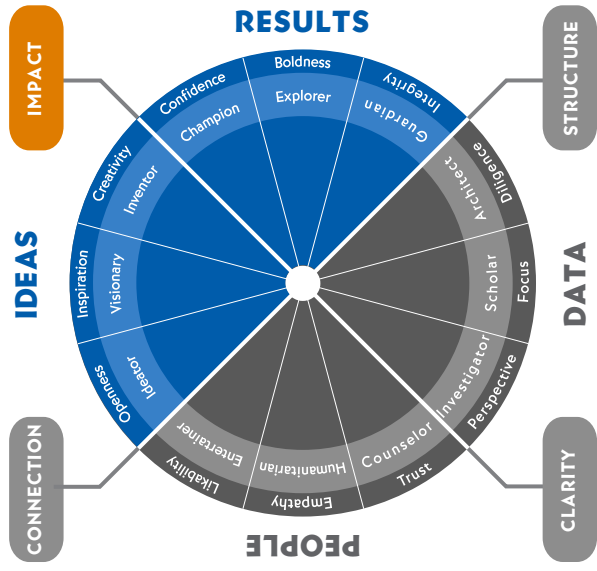
- **FREEZE OR REFLECT** – taking fast decisive action isn't easy so they may simply clam up or if challenged, go into the details of what's happened to demonstrate they have done everything properly.

**IF YOU THINK THEY ARE UNHAPPY WITH YOU**

- Apologise and admit that you hadn't thought things through or hadn't listened to their concerns. Ask for their help to do this, listen properly and summarise this in writing, if needed, before trying to move forward.



## WHAT THEY CARE ABOUT: IDEAS AND RESULTS FREEDOM AND POWER



### WHAT TO LOOK FOR

- Talking big picture and short attention span
- Directness and getting straight down to business

- Taking the lead, taking over, expressing strong opinions
- A wagging finger and the word "I"

### HOW THEY SEE THEMSELVES

Someone who:

- Takes the lead and control of a situation
- Is firm, solution oriented and takes action

### HOW THEY MAY BE SEEN BY OTHERS

- Blunt, aggressive, uncaring, harsh
- Don't think before acting
- Always wanting to do things their way

### RISK TILT - CLARITY. IMPACT MAY VIEW CLARITY AS

- Indecisive and hesitant when action is needed
- Having endless questions and reservations
- Constantly needing answers and direction

### THEY EXPECT YOU TO

- Be purposeful, get down to business and get to the point
- Be creative, show substance and have the courage of your convictions
- Stand up for yourself, be decisive and take positive actions

#### DO

- Demonstrate that you have listened and done your homework
- Show quick thinking and a sense of urgency
- Highlight problems early and come armed with ideas or a solution

#### DONT

- Put words in their mouth
- Expect them to engage in idle chit chat
- Mistake directness or bluntness for a lack of rapport or discontentment

### PRESSURE RESPONSE

- FLEE OR FIGHT – They may simply ignore the problem or go on the warpath, make snap decisions and expect a similar sense of urgency from you.

### IF YOU THINK THEY ARE UNHAPPY WITH YOU!

- Double check you have really listened to what they said and acted accordingly
- Ask for their help





# RESILIENCE SUB-PERSONAS

**Persona:** Ideator

**Social Preference:** Expressive (One-to-Some)

**Character Strength:** Openness

<i>When Balanced:</i>	<i>When overused:</i>
<ul style="list-style-type: none"><li>• Approaches the world with childlike curiosity</li><li>• Wants to try everything</li><li>• Delights in breaking the rules and following new ideas</li></ul>	<ul style="list-style-type: none"><li>• <b>Potential derail:</b> Aimlessness</li><li>• <b>Symptom:</b> Indecisiveness</li><li>• <b>Emotion:</b> Despair</li></ul>

**Persona:** Visionary

**Social Preference:** Expansive (One-to-Many)

**Character Strength:** Inspiration

<i>When Balanced:</i>	<i>When overused:</i>
<ul style="list-style-type: none"><li>• Seeks hope, purpose, and meaning</li><li>• Wants to find philosophical truths for why we're here</li><li>• Is pervasively positive</li></ul>	<ul style="list-style-type: none"><li>• <b>Potential derail:</b> Overzealousness</li><li>• <b>Symptom:</b> Exaggeration</li><li>• <b>Emotion:</b> Shame</li></ul>

**Persona:** Inventor

**Social Preference:** Reserved (One-to-One)

**Character Strength:** Creativity

<i>When Balanced:</i>	<i>When overused:</i>
<ul style="list-style-type: none"><li>• Uses imagination to invent a better future</li><li>• Feels compelled to create even if others don't agree</li><li>• Avoids the mundane</li></ul>	<ul style="list-style-type: none"><li>• <b>Potential derail:</b> Delusion</li><li>• <b>Symptom:</b> Restlessness</li><li>• <b>Emotion:</b> Anxiety</li></ul>

# COURAGE SUB-PERSONAS

**Persona:** Champion

**Social Preference:** Expressive (One-to-Some)

**Character Strength:** Confidence

<i>When Balanced:</i>	<i>When overused:</i>
<ul style="list-style-type: none"><li>• Is naturally decisive and takes action about things and people that matter to them</li><li>• Wants to be in charge</li><li>• Rejects the idea of being a follower</li></ul>	<ul style="list-style-type: none"><li>• <b>Potential derail:</b> Dominance</li><li>• <b>Symptom:</b> Controlling</li><li>• <b>Emotion:</b> Frustration</li></ul>

**Persona:** Explorer

**Social Preference:** Expansive (One-to-Many)

**Character Strength:** Boldness

<i>When Balanced:</i>	<i>When overused:</i>
<ul style="list-style-type: none"><li>• Demands independence and autonomy</li><li>• Wants to test human limits and explore the world</li><li>• Needs to be active and fully engaged in things that would frighten most people</li></ul>	<ul style="list-style-type: none"><li>• <b>Potential derail:</b> Recklessness</li><li>• <b>Symptom:</b> Forceful</li><li>• <b>Emotion:</b> Anger</li></ul>

**Persona:** Guardian

**Social Preference:** Reserved (One-to-One)

**Character Strength:** Integrity

<i>When Balanced:</i>	<i>When overused:</i>
<ul style="list-style-type: none"><li>• Wants to actively reform the world and the people in it</li><li>• Is concerned with justice, fairness, and integrity</li><li>• Wants to make the world purer and better in terms of morality</li></ul>	<ul style="list-style-type: none"><li>• <b>Potential derail:</b> Cynicism</li><li>• <b>Symptom:</b> Contempt</li><li>• <b>Emotion:</b> Rejection</li></ul>

# WISDOM SUB-PERSONAS

**Persona:** Investigator

**Social Preference:** Expressive (One-to-Some)

**Character Strength:** Perspective

<i><b>When Balanced:</b></i>	<i><b>When overused:</b></i>
<ul style="list-style-type: none"><li>• Analyzes the facts from many points of view</li><li>• Patiently explores every possible “what if”</li><li>• Solves puzzles for less observant people</li></ul>	<ul style="list-style-type: none"><li>• <b>Potential derail:</b> Skepticism</li><li>• <b>Symptom:</b> Procrastination</li><li>• <b>Emotion:</b> Worry</li></ul>

**Persona:** Scholar

**Social Preference:** Expansive (One-to-Many)

**Character Strength:** Focus

<i><b>When Balanced:</b></i>	<i><b>When overused:</b></i>
<ul style="list-style-type: none"><li>• Seeks knowledge and mastery of subject matter</li><li>• Wants to deepen credibility through education and knowledge</li><li>• Wants to be respected by peers</li></ul>	<ul style="list-style-type: none"><li>• <b>Potential derail:</b> Single-Mindedness/Fixation</li><li>• <b>Symptom:</b> Criticism</li><li>• <b>Emotion:</b> Pride</li></ul>

**Persona:** Architect

**Social Preference:** Reserved (One-to-One)

**Character Strength:** Diligence

<i><b>When Balanced:</b></i>	<i><b>When overused:</b></i>
<ul style="list-style-type: none"><li>• Wants to follow rules and create order in the world around them</li><li>• Works and tries hard to achieve perfection</li><li>• Wants to code, draw, build, sequence, coordinate according to the rules</li></ul>	<ul style="list-style-type: none"><li>• <b>Potential derail:</b> Perfectionism</li><li>• <b>Symptom:</b> Rigidity</li><li>• <b>Emotion:</b> Distrust</li></ul>

# HUMANITY SUB-PERSONAS

**Persona:** Entertainer

**Social Preference:** Expressive (One-to-Some)

**Character Strength:** Likability

<i>When Balanced:</i>	<i>When overused:</i>
<ul style="list-style-type: none"> <li>• Wants to entertain others with humor or social grace</li> <li>• Shares values close social groups</li> <li>• Wants to be the spokesperson and a strong voice of alliance</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Potential derail:</b> Superficiality</li> <li>• <b>Symptom:</b> Political</li> <li>• <b>Emotion:</b> Guilt</li> </ul>

**Persona:** Humanitarian

**Social Preference:** Expansive (One-to-Many)

**Character Strength:** Empathy

<i>When Balanced:</i>	<i>When overused:</i>
<ul style="list-style-type: none"> <li>• Cares about others and wants everyone to get along</li> <li>• Seeks harmony in groups and sustains peace</li> <li>• Hates seeing others in conflict</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Potential derail:</b> Conflict-Aversion</li> <li>• <b>Symptom:</b> Passive</li> <li>• <b>Emotion:</b> Envy</li> </ul>

**Persona:** Counselor

**Social Preference:** Reserved (One-to-One)

**Character Strength:** Trust

<i>When Balanced:</i>	<i>When overused:</i>
<ul style="list-style-type: none"> <li>• Takes care of others as a supporter</li> <li>• Listens and keeps confidence</li> <li>• Values being a trusted confidant</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Potential derail:</b> Compliance/Reluctance</li> <li>• <b>Symptom:</b> Complaining</li> <li>• <b>Emotion:</b> Resentment</li> </ul>



## Tilt Sentence Starters

To develop your **HUMANITY** quadrant,

**Be Kind:** Increase RECEPTIVITY

Try these sentence starters:

What I like about this is...

I would be comfortable with...

Some of the possibilities are...

Several ideas are forming about...

I'm interested to hear your ideas...

What do you think this might look like?

We can keep our options open by...

If we consider alternatives...

What pros and cons do you foresee?

Who could we ask about...?

To develop your **RESILIENCE** quadrant,

**Be Unique:** Increase OPTIMISM

Try these sentence starters:

To do it in that time frame, we'd need to...

Some creative ways to do this might include...

Yes, we could do that if we...

Why not see what happens if...

Let's think of some creative work-arounds.

Yes, and we'll need 'x' to make this work...

The upside to this is...

What if we try...?

Some possibilities could be...

To develop your **WISDOM** quadrant,

**Be Wise:** Increase SKEPTICISM

Try these sentence starters:

What we need before moving forward is...

To do it in that time frame, we'd need to...

We should be careful to...

The information we have indicates that...

The risks we should consider are...

The information we need first is...

We are limited by...

What I would need to know is...

Let's agree that we won't proceed until...

To develop your **COURAGE** quadrant,

**Be Bold:** Increase CERTAINTY

Try these sentence starters:

I need you to...

My expectation is...

It's critical that you...

I need this by...

I see the path forward as...

What we know for sure is...

What I'm clear about is...

Thank you but I cannot...

What's going to happen is...

THE 4 META FACTORS

CORE LEADERSHIP STRENGTHS		Under-Developed Traits	Commendable Traits	Over-Used Traits
<b>WISDOM: HEAD</b> FACTS ▶ JUDGMENT	<b>PERSPECTIVE</b> Practices Good Judgment	Illogical Subjective Irrational Unrealistic	Logical Objective Rational Realistic	Robotic Scrutinizing Skeptical Paranoid
	<b>FOCUS</b> Attends to Priorities	Aimless Reactive Careless Undiscerning	Purposeful Mindful Selective Discerning	Intolerant Stoic Restrictive Critical
	<b>DILIGENCE</b> Effective at Execution	Unproductive Undisciplined Inconsistent Nonchalant	Productive Disciplined Consistent Conscientious	Workaholic Obsessive Rigid Meticulous
<b>HUMANITY: HEART</b> PEOPLE ▶ HARMONY	<b>LIKABILITY</b> Expands Social Influence	Unapproachable Unappreciative Withholding Intense	Approachable Appreciative Generous Friendly	Permissive Flattering Indulgent Flippant
	<b>EMPATHY</b> Considers the Feelings of Others	Restless Rejecting Disrespectful Blaming	Patient Accepting Respectful Forgiving	Passive Adoring Submissive Excusing
	<b>TRUST</b> Builds Strong Relationships	Boastful Fickle Superficial Unreliable	Humble Loyal Authentic Reliable	Minimizing Resigned Transparent Compliant
<b>COURAGE: GUT</b> ACTION ▶ JUSTICE	<b>CONFIDENCE</b> Exudes a Commanding Presence	Insecure Indecisive Uncertain Passive	Self-Assured Decisive Certain Assertive	Arrogant Dismissive Defensive Aggressive
	<b>BOLDNESS</b> Willing to Face Risk	Timid Cautious Unengaged Slack	Brave Adventurous Passionate Tenacious	Reckless Destructive Antagonistic Stubborn
	<b>INTEGRITY</b> Serves as a Good Example	Secretive Biased Unethical Political	Honest Fair Ethical Honorable	Blunt Righteous Strict Judgmental
<b>RESILIENCE: SPIRIT</b> IDEAS ▶ PURPOSE	<b>OPENNESS</b> Insatiable Curiosity for Learning	Unreceptive Complacent Inflexible Inattentive	Receptive Curious Flexible Alert	Chaotic Scattered Erratic Impulsive
	<b>INSPIRATION</b> Casts a Compelling Vision	Withdrawn Mundane Apathetic Pessimistic	Visionary Compelling Enthusiastic Optimistic	Grandiose Overzealous Hyperactive Gullible
	<b>CREATIVITY</b> Designs Inventive Solutions	Uninventive Calculated Unimaginative Dependent	Ingenious Intuitive Innovative Resourceful	Eccentric Opinionated Opportunistic Mischievous



SCHOOL OF GOVERNMENT

Center for Public Leadership and Governance

## **Fundamental Supervisory Practices**

# **Assignments**

## **Session Three & Four**



**NAVIGATING LEGAL ISSUES  
WHAT DO YOU THINK?**

**Directions:** Next to each item below, circle the answer that indicates whether you think the statement is True - T or False - F.

- T F 1. It is OK to have different performance expectations for employees doing the same job since some employees can handle more work than others.
- T F 2. The laws on sexual discrimination and harassment protect men as well as women.
- T F 3. It is OK to choose not to hire someone who has a heavy foreign accent that you can barely understand.
- T F 4. During a job interview, the candidate tells you she is divorced and has 2 children. Since she brought it up, then this means that I can ask her questions about her family
- T F 5. If an employee engages in conduct of a sexual nature in the presence of ten people, and only one person is offended, that person can complain of sexual harassment.
- T F 6. An employee does not have to repeat an act of a sexual nature before it can constitute sexual harassment.
- T F 7. If an employee I do not supervise tells me about another coworker making sexually suggestive and inappropriate comments, but asks me not to say anything, I should keep her confidence.
- T F 8. An employer can be held responsible if a customer, contractor, or other nonemployee harasses an employee.
- T F 9. In order to sexually harass a person, you must have the intention of unreasonably interfering with that individual's performance or creating a hostile, intimidating, or offensive environment.
- T F 10. It's OK to joke around and call one of your Muslim co-workers "the terrorist" if he laughs about it and also refers to himself as "the terrorist."
- T F 11. It is OK to re-assign an employee who complained of harassment to a different job to separate her from the person she is accusing of harassment.
- T F 12. Denise is terribly attracted to her boss, Jeff. As a ruse to be alone with him, she asked him to join her for a drink after work on the pretense that she wants to discuss a troubling work situation. After a few drinks, Denise accepts Jeff's offer to drive her home. She insists he come in, and they end up spending the night together at her invitation. This is not harassment.

- T F 13. You cannot discipline an employee for any reason when that employee has filed an EEO complaint.
- T F 14. An individual you are interviewing for a position comes into the interview in a wheelchair. You can ask her why she needs to use a wheelchair.
- T F 15. If an employee has been out on sick leave, I can ask that employee to submit a note from the doctor that he is cleared to return to work.
- T F 16. I must create a "light duty" assignment for a pregnant employee.
- T F 17. A staff member who has diabetes has requested moving to a private office where she can dim the lights since bright lights irritate her eyes and give her headaches. I don't have to provide her with this office space if it will create complaints of unfairness among the rest of the staff.
- T F 18. I must provide a private space for nursing mothers in the workplace that is not the women's restroom.
- T F 19. The Fair Labor Standards Act (FLSA) requires that you provide regular breaks to your employees.
- T F 20. If an employee voluntarily chooses to do work after normal business hours, he or she does not have to be paid for this work.
- T F 21. I can ask my employees to come to work early to get things organized for the day so they will be "ready to roll" when we officially begin work.
- T F 22. A staff member has a bumper sticker on his personal car that some of his co-workers find offensive. I can ask him to remove it to "keep the peace" among the staff.
- T F 23. One of your employees brings you a Facebook post of another one of your staff members in his work uniform with the caption "Don't come work for the County unless you want to be abused." You can take a disciplinary action against the staff member who made the post.

NOTE: Quiz items on this list are intended to check awareness of employment laws and provoke discussion in a training session facilitated by an HR professional who is not an attorney. Supervisors may need to consult their organization's personnel policy or an attorney to answer specific questions applying to an individual situation.



SCHOOL OF GOVERNMENT

Center for Public Leadership and Governance

## **Fundamental Supervisory Practices**

# **Session Five**

# **Navigating Legal Issues**



# Fundamental Supervisory Practices

## Center for Public Leadership and Governance

### UNC-School of Government

#### Session 5

#### Topics covered in today's session:

- Identify the legal issues and key employment laws you have to navigate as a supervisor.
- Review EEOC protected classes and review best practices to prevent discrimination claims.
- Discuss strategies for creating a productive and safe working environment free from harassment.
- Evaluate common employment situations and determine possible response strategies and resources needed for an appropriate response.
- Begin the creation of a personal development plan to assist in the transfer of training from the classroom to the job.

*The information presented in the session “Navigating Legal Issues” and the attached materials are not intended to provide a comprehensive overview of all employment laws impacting supervisors in local government. They are meant to guide discussion on legal issues a supervisor may face. The materials were not prepared by an attorney and should not be solely relied upon in any particular situation to guide legal analysis.*



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## **Key EEO and Employment Information for Supervisors**

### **Excerpts from EEOC.gov**

#### **Prohibited Employment Policies/Practices**

Under the laws enforced by EEOC, it is illegal to discriminate against someone (applicant or employee) because of that person's race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (40 or older), disability or genetic information. It is also illegal to retaliate against a person because he or she complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

The law forbids discrimination in every aspect of employment.

The law makes it illegal for an employer to make any employment decision because of a person's race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (40 or older), disability or genetic information. That means an employer may not discriminate when it comes to such things as hiring, firing, promotions, and pay. It also means an employer may not discriminate, for example, when granting breaks, approving leave, assigning work stations, or setting any other term or condition of employment - however small.

#### **Pre-Employment Inquiries (General)**

As a general rule, the information obtained and requested through the pre-employment process should be limited to those essential for determining if a person is qualified for the job; whereas, information regarding race, sex, national origin, age, and religion are irrelevant in such determinations.

Employers are explicitly prohibited from making pre-offer inquiries about disability.

Although state and federal equal opportunity laws do not clearly forbid employers from making pre-employment inquiries that relate to, or disproportionately screen out members based on race, color, sex, national origin, religion, or age, such inquiries may be used as evidence of an employer's intent to discriminate unless the questions asked can be justified by some business purpose.

Therefore, inquiries about organizations, clubs, societies, and lodges of which an applicant may be a member or any other questions, which may indicate the applicant's race, sex, national origin, disability status, age, religion, color or ancestry if answered, should generally be avoided.

Similarly, employers should not ask for a photograph of an applicant. If needed for identification purposes, a photograph may be obtained after an offer of employment is made and accepted.

## **Dress Code**

In general, an employer may establish a dress code which applies to all employees or employees within certain job categories. However, there are a few possible exceptions.

While an employer may require all workers to follow a uniform dress code even if the dress code conflicts with some workers' ethnic beliefs or practices, a dress code must not treat some employees less favorably because of their national origin. For example, a dress code that prohibits certain kinds of ethnic dress, such as traditional African or East Indian attire, but otherwise permits casual dress would treat some employees less favorably because of their national origin.

Moreover, if the dress code conflicts with an employee's religious practices and the employee requests an accommodation, the employer must modify the dress code or permit an exception to the dress code unless doing so would result in undue hardship.

Similarly, if an employee requests an accommodation to the dress code because of his disability, the employer must modify the dress code or permit an exception to the dress code, unless doing so would result in undue hardship.

## **Age Discrimination and Employment Act of 1967 (ADEA)**

<https://www.eeoc.gov/laws/guidance/fact-sheet-age-discrimination>

### **Actions Prohibited By the ADEA**

Under the ADEA, it is unlawful to discriminate against a person because of his or her age with respect to any term, condition, or privilege of employment, including hiring, firing, promotion, layoff, compensation, benefits, job assignments, and training. Harassing an older worker because of age is also prohibited.

It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on age or for filing an age discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under the ADEA.

The ADEA permits employers to favor older workers based on age even when doing so adversely affects a younger worker who is 40 or older.

## **Americans with Disabilities Act (ADA) and Americans with Disabilities Act Amendments Act of 2008 (ADAAA)**

<https://www.eeoc.gov/laws/guidance/ada-your-responsibilities-employer>

Disability discrimination occurs when an employer or other entity covered by the Americans with Disabilities Act, as amended, or the Rehabilitation Act, as amended, treats a qualified individual with a disability who is an employee or applicant unfavorably because she has a disability.

Disability discrimination also occurs when a [covered employer or other entity](#) treats an applicant or employee less favorably because she has a history of a disability (such as cancer that is controlled or in remission) 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 requires an employer to provide reasonable accommodation to an employee or job applicant with a disability, unless doing so would cause significant difficulty or expense for the employer ("undue hardship").

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 has a disability.

## **Harassment**

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

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 unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

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. Harassment can occur in a variety of circumstances, including, but not limited to, the following:

- The harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee.
- The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct.

- Unlawful harassment may occur without economic injury to, or discharge of, the victim.

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. They can do this by establishing an effective complaint or grievance process, providing anti-harassment training to their managers and employees, and taking immediate and appropriate action when an employee complains. Employers should strive to create an environment in which employees feel free to raise concerns and are confident that those concerns will be addressed.

Employees are encouraged to inform the harasser directly that the conduct is unwelcome and must stop. Employees should also report harassment to management at an early stage to prevent its escalation.

### **Employer Liability for Harassment**

The employer is automatically liable for harassment by a supervisor that results in a negative employment action such as termination, failure to promote or hire, and loss of wages. If the supervisor's harassment results in a hostile work environment, the employer can avoid liability only if it can prove that: 1) it reasonably tried to prevent and promptly correct the harassing behavior; and 2) the employee unreasonably failed to take advantage of any preventive or corrective opportunities provided by the employer.

The employer will be liable for harassment by non-supervisory employees or non-employees over whom it has control (e.g., independent contractors or customers on the premises), if it knew, or should have known about the harassment and failed to take prompt and appropriate corrective action.

When investigating allegations of harassment, the EEOC looks at the entire record: including the nature of the conduct, and the context in which the alleged incidents occurred. A determination of whether harassment is severe or pervasive enough to be illegal is made on a case-by-case basis.

### **Pregnancy Discrimination Act**

<https://www.eeoc.gov/laws/guidance/fact-sheet-pregnancy-discrimination>

The Pregnancy Discrimination Act (PDA) is an amendment to Title VII of the Civil Rights Act of 1964. Discrimination on the basis of pregnancy, childbirth, or related medical conditions constitutes unlawful sex discrimination under Title VII. Women affected by pregnancy or related conditions must be treated in the same manner as other applicants or employees who are similar in their ability or inability to work.

### **Hiring and Working Conditions**

An employer cannot refuse to hire a woman because of her pregnancy related condition as long as she is able to perform the major functions of her job. An employer cannot refuse to hire her because of its prejudices against pregnant workers or because of the prejudices of co-workers, clients, or

customers. The PDA also forbids discrimination based on pregnancy when it comes to any other aspect of employment, including pay, job assignments, promotions, layoffs, training, fringe benefits, firing, and any other term or condition of employment.

### **Pregnancy and Maternity Leave**

An employer may not single out pregnancy related conditions for medical clearance procedures that are not required of employees who are similar in their ability or inability to work. For example, if an employer requires its employees to submit a doctor's statement concerning their inability to work before granting leave or paying sick benefits, the employer may require employees affected by pregnancy related conditions to do the same.

Pregnant employees must be permitted to work as long as they are able to perform their jobs. If an employee has been absent from work as a result of a pregnancy related condition and recovers, her employer may not require her to remain on leave until the baby's birth. Nor may an employer have a rule that prohibits an employee from returning to work for a predetermined length of time after childbirth.

Under the PDA, an employer that allows temporarily disabled employees to take disability leave or leave without pay must allow an employee who is temporarily disabled due to pregnancy to do the same. Employers must hold open a job for a pregnancy related absence the same length of time that jobs are held open for employees on sick or temporary disability leave.

Further, under the Family and Medical Leave Act (FMLA) of 1993, enforced by the U.S. Department of Labor, a new parent (including foster and adoptive parents) may be eligible for 12 weeks of leave (unpaid, or paid if the employee has earned or accrued it) that may be used for care of the new child. To be eligible, the employee must have worked for the employer for 12 months prior to taking the leave and the employer must have a specified number of employees. For more information please see: [www.dol.gov/whd/regs/compliance/whdfs28.htm](http://www.dol.gov/whd/regs/compliance/whdfs28.htm).

### **Pregnancy and Temporary Disability**

If an employee is temporarily unable to perform her job due to pregnancy, the employer must treat her the same as any other temporarily disabled employee; for example, by providing light duty, modified tasks, alternative assignments, disability leave, or leave without pay.

Additionally, impairments resulting from pregnancy (for example, gestational diabetes) may be disabilities under the Americans with Disabilities Act (ADA). An employer may have to provide a reasonable accommodation for a disability related to pregnancy, absent undue hardship (significant difficulty or expense). For example, an employer may be required to provide modified duties for an employee with a 20-pound lifting restriction stemming from pregnancy related sciatica, absent undue hardship. The ADA Amendments Act of 2008 makes it much easier to show that a medical condition is a covered disability. For more information about the ADA, see [www.eeoc.gov/laws/types/disability.cfm](http://www.eeoc.gov/laws/types/disability.cfm). For information about the ADA Amendments Act, see [www.eeoc.gov/laws/types/disability\\_regulations.cfm](http://www.eeoc.gov/laws/types/disability_regulations.cfm).

## **Reasonable Accommodation & Religion**

The law requires an employer to reasonably accommodate an employee's religious beliefs or practices, unless doing so would cause difficulty or expense for the employer. This means an employer may have to make reasonable adjustments at work that will allow the employee to practice his or her religion, such as allowing an employee to voluntarily swap shifts with a co-worker so that he or she can attend religious services.

## **Retaliation**

<https://www.eeoc.gov/laws/guidance/questions-and-answers-enforcement-guidance-retaliation-and-related-issues>

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. For example, it is unlawful to retaliate against applicants or employees for:

- filing or being a witness in an EEO charge, complaint, investigation, or lawsuit
- communicating with a supervisor or manager about employment discrimination, including harassment
- answering questions during an employer investigation of alleged harassment
- refusing to follow orders that would result in discrimination
- resisting sexual advances, or intervening to protect others
- requesting accommodation of a disability or for a religious practice
- asking managers or co-workers about salary information to uncover potentially discriminatory wages.

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.

For example, 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;
- threaten to make, or actually make reports to authorities (such as reporting immigration status or contacting the police);
- increase scrutiny;

- spread false rumors, treat a family member negatively (for example, cancel a contract with the person's spouse); or
- 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).

**What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws**

<https://www.eeoc.gov/laws/guidance/pandemic-preparedness-workplace-and-americans-disabilities-act>



## **Other Employment Laws – enforced by Department of Labor**

### **Fair Labor Standards Act (FLSA)**

<https://www.dol.gov/agencies/whd/flsa>

The FLSA sets rules for minimum wage, overtime pay, equal pay, recordkeeping and child labor protection. Some employees are exempt from the overtime pay provisions. Exemptions are narrowly defined under the FLSA, and generally apply only to a limited number of positions in local government.

The *Patient Protection and Affordable Care Act (PPACA)* amended the FLSA in 2010 and requires reasonable break time and a private space (not a bathroom) for nursing mothers to express milk.

### **Supervisor “Need to Know”**

- Ensure all hours worked by a “non-exempt” employee are accurately recorded. A supervisor approval or signature on a time record indicates agreement.
- Work hours include everything an employee does for work including answering emails from home, getting a vehicle ready for the shift or answering phone calls on a non-paid lunch break. An employer may not refuse to pay for actual hours worked, even if the work was not authorized. If an employee engages in unauthorized work for the organization, the work hours must be compensated. (Follow your disciplinary procedures to address the unauthorized work concern.)
- A non-exempt employee cannot “volunteer” to begin work early or work from home without compensation. This time is considered actual hours worked under the FLSA.

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

<https://www.dol.gov/agencies/whd/fmla>

The FMLA provides up to 12 weeks of job-protected leave for serious health condition affecting the employee, to care for a child/spouse/parents including bonding time with a child within the first year after birth or adoption, or for military exigency.

A “*serious health condition*” covers someone who is unable to work or perform other regular activities for three consecutive days and requires continuing treatment from the health care provider. Pregnancy is covered as a serious health condition as well as chronic conditions (such as migraines or asthma) if the condition continues over an extended period of time and the employee requires periodic visits (two or more per year) to a health care provider for treatment.

### Supervisor “Need to Know”

- Recognize when an employee’s need for leave (including intermittent leave) may be covered under FMLA and provide the employee with information on how to apply for FMLA leave. Follow any FMLA procedures adopted by your organization.
- An employee cannot be treated differently due to the use of FMLA leave. (For example - denied promotion or merit increases.) The use of FMLA leave cannot be used as a basis for any employment decision or action.

### **USERRA – Uniformed Services Employment and Reemployment Rights Act**

The Uniformed Services Employment and Reemployment Rights Act (USERRA) is a federal law, passed in 1994, that protects military service members and veterans from employment discrimination on the basis of their service, and allows them to regain their civilian jobs following a period of uniformed service.

USERRA is administered by the United States Department of Labor, through the [Veterans' Employment and Training Service \(VETS\)](#). VETS provides assistance to those persons experiencing service connected problems with their civilian employment and provides information about the Act to employers.

### Supervisor “Need to Know”

- Seek assistance from HR, your attorney, or VETS services if you have questions related to an employee’s use of military leave.
- Be aware that an employee’s need for regular military leave (such as weekend duty) cannot negatively influence any decision about an employee’s work assignment or work schedule. (Example – not assigning Police Officer to Investigations unit because monthly absences easier to handle in Patrol Unit.)
- You don’t have a "right of refusal" for military leave and cannot take any adverse action against the service member, or threaten to take adverse action, for leaving for service. Similarly, you may be prohibited from taking adverse action against the service member, or threatening to take adverse action, if the service member doesn’t provide notice. However, if your employee’s absence would cause a significant burden, you may contact the commander of your employee's military unit to ask if the duty could be rescheduled or performed by another service member. If this request isn’t fulfilled, you must still provide unpaid leave so your employee can perform his or her military duty, and you can’t take any adverse action against the employee.

## Prohibited Employment Interview or Discussion Topics

<u>ITEM</u>	<u>PROHIBITED INFORMATION</u> <b>(Cannot be used to disqualify candidates. Any discussion should be avoided.)</b>	<u>LAWFUL INFORMATION</u> <b>(May be used to disqualify candidates where relevant).</b>
<b>AGE</b>	Any inquiry on age, birth certificate. Any inquiry for purpose of excluding persons over 40.	Whether candidate meets minimum age requirements. Whether candidate can meet physical requirements of job with or without reasonable accommodations.
<b>ARREST RECORD</b>	Any inquiry relating to arrest.	None
<b>CONVICTION RECORD</b>	Inquiries regarding convictions that do not relate to performing the particular job under consideration.	Inquiries about actual convictions that relate reasonably to performing a particular job. Examples: Job involving public safety or handling money <i>after contingent offer of employment.</i>
<b>CREDIT RATING</b>	Any inquiries concerning charge accounts, credit rating, etc., that do not relate to performing the particular job under consideration.	Inquiries about credit rating, charge accounts, etc., that relate reasonably to performing the particular job in questions. Example: Job involving handling money.
<b>EDUCATION</b>	Disqualification of a candidate who does not have a particular degree unless employer has proven that the specific degree is the only way to measure a candidate's ability to perform the job in question.	Inquiries regarding degrees or equivalent experience. Information regarding courses relevant to a particular job.
<b>DISABILITY</b>	General inquiries that are likely to elicit information about handicaps or a health condition that do not relate to job performance.*	You may ask if a person can do the essential functions of the described job with or without reasonable accommodation if you ask all applicants. *
<b>MARITAL AND FAMILY STATUS</b>	Child care plans or issues, unwed motherhood, contraceptive practices, spouses' preferences regarding job conditions. Inquiries indicating marital status, number of children, pregnancy. Any question directly or indirectly resulting in limitation of job opportunity in any way.	Whether candidate can meet work schedule. Whether candidate has activities, responsibilities, or commitments that may hinder meeting attendance requirements. (Should be asked of candidates of both sexes.)
<b>MILITARY RECORD</b>	Discharge status, unless it is the result of a military conviction.	Type of experience and education in service as it relates to a particular job.
<b>NAME</b>	Inquiries to determine national origin, ancestry, or prior marital status.	Whether candidate has ever worked under a different name.

<b>NATIONAL ORIGIN</b>	Lineage, ancestry descent, mother tongue, birthplace, citizenship. National origin of spouse or parents.	Whether candidate is legally eligible to work in the United States.
<b>ORGANIZATIONS</b>	Inquiries about membership to determine the race, color, religion, sex, national origin, or age of candidate.	Inquiries that should not elicit discriminatory information.
<b>RACE OR COLOR</b>	Complexion, color of skin.	None
<b>RELIGION</b>	Religious preference, affiliation, denomination.	Whether candidate can meet work schedules of job with reasonable accommodation by employer if necessary.
<b>SEX</b>	Sex of applicant, where sex is not a bona fide occupational qualification (BFOQ).	None - The City has no positions where sex is a bona fide occupational qualification.
<b>WORK EXPERIENCE</b>	Inquiries of protected class members based on generalizations about that class.	Candidate's previous job-related experience.
<b>WORKERS' COMPENSATION</b>	Any inquiries about prior worker's compensation claims*	None

**NOTE:**

Even if discriminatory information is volunteered by the applicant it can still result in a discrimination charge. Should this happen, even if it happens informally (i.e. during a tour) it is necessary for you to provide a disclaimer. Inform the applicant that "*While that's interesting we will not be using that information in making our selection decision.*"

In the case of an applicant with a disability, you may discuss "reasonable accommodation" once the job has been fully described to the applicant. Most applicants requiring reasonable accommodations will initiate this discussion. They are almost always the best source for determining what is the most reasonable of accommodations, because they must constantly devise strategies to offset any limitations. Remember, most applicants with disabilities will need little or no accommodation to perform the essential functions of a job.

## **SUGGESTIONS FOR INTERVIEWING PERSONS WITH DISABILITIES**

- Ensure that the interview location is accessible.
- Focus on the ability of an applicant to perform a job - not on the disability.
- Provide the applicant with accurate and sufficient information about the job, including physical and mental requirements.
- Ask the applicant if he/she is able to perform the functions of the position as described without asking questions concerning the disability. The applicant should not be disqualified because of the inability to perform a non-essential function.
- You may ask the applicant to describe or demonstrate how he/she will perform specific job functions, as long as you ask all applicants.
- Tests must be job-related and must be administered to all applicants applying for the position. You must provide reasonable accommodation if requested for the applicant to perform the test, unless the test is intended to measure a job skill that is affected by the applicant's disability.
- Allow the applicant to observe the worksite.
- Avoid making assumptions about an individual's ability to perform the essential functions of the position simply based on your knowledge of the particular disability or your knowledge of another individual with the same or a similar disability.
- Consult a specialist in disabilities and employment before concluding that a particular disability cannot be accommodated at the worksite. Vocational Rehabilitation and the Department of Insurance employ such specialists. The Federal Job Accommodation Network <https://askjan.org/> sponsored by the President's Committee on the Employment of People with Disabilities, offers ADA-related fact sheets and materials that answer questions on how to accommodate specific disabilities.



## **Defensibility Tips to Reduce Risks of Discriminatory Actions** (aka - Top Ten Tips for Staying out of Jail)

- 1. Have courage. Address inappropriate behavior once you observe it. Don't ignore it!**  
A supervisor has responsibility for ensuring a respectful workplace. Failure to take action on harassment complaints can lead to both personal and organizational liability through tort claims.
- 2. Set expectations for employee performance and behavior.**  
Set clear expectations about what type of behavior is expected in the workplace, and what type of behavior is not allowed. Train your employees to understand that harassment in the workplace is prohibited.
- 3. Focus on BFOQ's (Bona fide Occupational Qualifications) when making decisions.**  
Make decisions based on fact and analysis rather than assumptions and stereotypes. Be sure any pre-employment test is valid, job-related and does not cause adverse impact.
- 4. Treat all employees/applicants fairly and consistently.**  
Look at how you have handled previous situations. Think about what precedent you are setting when making decisions. Be consistent in applying discipline to similar situations. Use the same interview questions for all applicants.
- 5. Focus on organization's needs, not personal preferences.**  
When making decisions, focus on what is best for the organization. Make sure you can explain to others the rationale behind your decisions.
- 6. Follow the same procedures for promotions as for hiring.**  
Create an equal opportunity for all to apply for the promotion; use a standard set of interview questions and selection procedures.
- 7. Know and follow your personnel policy and other workplace policies.**  
If your normal practice is different than policy, change or eliminate the policy. If you make a rare exception to the policy, document the reasons for the exception.
- 8. Document your actions and decisions. Leave an audit trail.**  
Create notes of counseling sessions with employees. In any disciplinary letter, be clear about reasons for taking the disciplinary action.
- 9. Address concerns raised by employees.**  
Do not assume everyone sees the workplace as you do. Take employee complaints and concerns seriously. Listen to the employee's concerns and keep communications open. Follow your organization's procedures for reporting any complaints about harassment or unfair treatment. If applicable, make sure employees understand the grievance process.
- 10. Use available resources to assist you.**  
Consult with your supervisor, HR, city/county attorney or other appropriate resources when you are unsure of how to handle a situation. Use legal resources (such as UNC School of Government) as necessary for advice and guidance.



## **Case Studies What Would You Do?**

**Instructions: Choose a reporter in your group. For each scenario below, please describe the potential legal issues, and how you would handle each situation as the supervisor.**

1. One of your employees tells you that she is tired of hearing her co-worker John complain about immigrants. Yesterday she overheard John telling a citizen “we need to completely shut the border and stop letting those sub-humans into the country.” She says that she was embarrassed when this happened and could tell the citizen was uncomfortable. She also says that John makes some type of derogatory comment every day. She tells you that she knows Jose (another co-worker) is especially bothered by John’s behavior, but that he won’t speak up because he doesn’t want to make things worse with John.
  
2. You have noticed that several of your employees who hang out together often joke around about each other’s love life (or lack thereof) and make rowdy remarks about each other’s sexual escapades. It seems that everyone is enjoying the casual banter and joking among friends. The only female in the workgroup often laughs at some of the comments and makes comments about how immature they are, but she has not said this behavior bothers her.
  
3. Your employee Amy has been out on Family Medical Leave for the last 6 weeks following a recent surgery. Her doctor has released her to come back to work, but you are friends with Amy’s husband who told you that Amy was still very weak and not really ready to come back to work but that she had to return because they needed her income to pay the bills.
  
4. You think your employee Pete has been taking some of his mechanic work tools home and using them on his personal equipment because he has been talking about repairing and restoring an old truck and you saw his work tools in his personal vehicle the last 2 days. Pete is also in the Army Reserves and has to serve weekend duty once per month. For the last 3 months he has told you that he needs to report for weekend duty on Wednesday (rather than Friday) to help set up for the drill weekend. You suspect that Pete is volunteering for this extra duty and are frustrated because this leaves you short-staffed in the garage when he is gone. Today when Pete told you he needed to leave for drill on Wednesday, he also told you that his wife was having surgery next week and he would need to take off at least one week of work to help her during her recovery. This is the same week that another one of the mechanics will be on vacation.
  
5. Your employee Jill recently told you that she has an autoimmune disorder and when she is having flare-ups of her condition, she is not able to perform her duties as a firefighter because she tires too easily. She has asked to be assigned to light duty when these episodes occur. She wants to keep her health condition private from the employees she works with because she doesn’t want them to be afraid of working with her. She is only telling you with hopes that you can find her light duty since her accrued vacation and sick time are running low and she cannot afford to take a leave without pay.



**Employment-related legal questions answered by attorneys at the UNC School of Government and found in the following blog posts:**

<https://canons.sog.unc.edu/firing-at-will-employees-legal-limitations/>  
<https://canons.sog.unc.edu/hey-job-applicant-have-you-ever-been-arrested-or-convicted/>  
<https://canons.sog.unc.edu/public-employers-beware-new-rule-violate-a-policy-your-employee-may-sue-you/>  
<https://canons.sog.unc.edu/secretly-putting-a-gps-tracker-on-your-employees-car-can-you-do-that/>  
<https://canons.sog.unc.edu/when-an-employee-wants-to-record-a-meeting-with-a-supervisor/>  
<https://canons.sog.unc.edu/employment-at-will-vs-right-to-work/>  
<https://canons.sog.unc.edu/questioning-an-employee-about-possibly-criminal-conduct/>  
<https://canons.sog.unc.edu/bad-employee-suggest-he-resign/>  
<https://canons.sog.unc.edu/confidentiality-of-applicants-names/>  
<https://canons.sog.unc.edu/do-we-have-to-advertise-this-position/>  
<https://canons.sog.unc.edu/governmental-employees-and-religious-email-sign-offs/>  
<https://canons.sog.unc.edu/the-first-amendment-and-facebook-rants-a-case-example/>  
<https://canons.sog.unc.edu/understanding-the-limitations-of-north-carolinas-whistleblower-protection-act/>





SCHOOL OF GOVERNMENT

Center for Public Leadership and Governance

## **Fundamental Supervisory Practices**

# **Assignments**

## **Day Five**



## Fundamental Supervisory Practices Day 3-5 Reflections with Learning Partner

1. What may trigger my stress reactions?
  
2. What TILT Quadrants do I tend to overuse?  
  
\_\_\_\_\_ and \_\_\_\_\_
  
3. What TILT is my flip-side mirror? What are the 2 big moves I can make to help bring me into greater balance? (Note: See page 4 of TILT report)
  
4. What TILT sentence starters will you start using, if any? How will these help you?
  
5. Share your guiding principles with your Learning Partner. Why are these important to you? Do you plan to share these with your staff? Why or why not?
  
6. What have you included on your Personal Development plan after Week One of FSP? Solicit feedback from Learning Partner on Guiding Principles and Personal Development action steps.



# What are your Guiding Principles?

Guiding Principles are a set of values that guide your decisions and remind you how to act when managing others. In their book, *Credibility: Why Leaders Gain and Lose It, Why People Demand It*, Kouzes and Posner (2003) note that credibility is strengthened when the leader has a philosophy and acts in ways that are consistent with it. This also requires staying true to these values even in times of adversity.

Developing a set of guiding principles can help you be a more effective supervisor and serve as a framework for managing yourself. Your guiding principles can be written in any style that works for you. Two examples are provided below.

## Example 1:

I will follow through and do what I say I will do.

I will make decisions that are in the greatest interest of all, and not just for one person.

I will say “yes” to staff suggestions whenever possible.

I will celebrate accomplishments of staff.

I will approach change with optimism.

I will seek to understand the needs of others.

I will accept responsibility for mistakes.

I will encourage others to make decisions.

## Example 2

Lead by example

Be consistent in attitude and actions

Be transparent in decision-making

Help others grow and learn

Set expectations and hold others accountable

Seek feedback from others

Value diversity and foster inclusion

To develop your own guiding principles, consider using the following process.

Step 1: Think about what you would want your staff members to say about you if they were asked to describe you as a supervisor and write those thoughts below.

Step 2: Using the list above, and from considering other relevant self-knowledge, develop 4-8 Guiding Principles that reflect how you want to behave as a supervisor.

Step 3: Examine these principles on a regular basis and ensure your actions are consistent with your Guiding Principles

# Fundamentals of Supervision Personal Development Plan

Date: \_\_\_\_\_

Key Learnings from Week 1 Class	Skill areas to Develop	Specific actions I will take back at work to develop identified skill.
Key Learnings for Week 2 Class	Skill areas to Develop	Specific actions I will take back at work to develop identified skill.

